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July/August 2011 \$5.00

A publication of the University of Illinois Springfield

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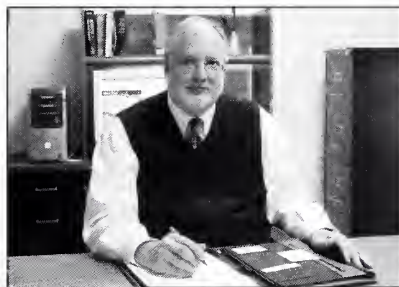
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Dana Heupel



## The weather is seemingly getting wilder

by Dana Heupel

**T**he voice on my radio this morning intoned that this was the seventh-wettest spring in Illinois since records began being kept in 1895. Statewide, we slogged through an average of 15.4 inches of the wet stuff from March through May, 4.3 inches above average.

And then came June, with an early heat wave that stoked temperatures up into the 90s across Illinois and much of the eastern part of the nation. And that followed this spring's horrendous tornado outbreaks in Missouri, Alabama and elsewhere, along with the disastrous floods down South.

It seems to me that the weather in recent years has become more volatile: The highs are higher, the lows are lower, and records that measure such things as rain, snow and violent storms are broken more often. So to test that assumption, I decided to do some quick research. I don't pretend to have found any definitive answers. Scientists have devoted much of their lives to this question, and the truth is, nobody can say for certain whether the recent seemingly wild swings of the

---

***So there we have it: Climate changes result from natural cycles — not human activities — and in fact, the recent violent weather is because we're actually on the cusp of a cool-down. Or ... it's absolutely certain that the Earth is getting warmer, human activities have played a huge role and the higher temperatures will continue to cause weather extremes.***

weather pendulum are caused by humans or result from a natural Earth cycle — or more likely, a combination of both. So what follows are simply

some admittedly cherry-picked opinions — no more, no less — without any agenda other than I thought it might be interesting. Some even have Illinois ties.

On one end of the spectrum is Cliff Harris, who bills himself as a climatologist and operates a website called [longrangeweather.com](http://longrangeweather.com) along with TV meteorologist Randy Mann.

In his weekly weather column in the *Coeur d'Alene Press* in Idaho, Harris said on June 6 that the idea that humans caused global warming is "a massive fraud in my opinion, a LIE, pure and simple. ... This is a clever deception put forth by those attempting to impose a centralized, worldwide socialistic form of government headed by an empowered United Nations."

On his website, he writes: "For more than 20 years, I've frequently mentioned that we've entered a long-term climate cycle of WIDE WEATHER 'EXTREMES,' [Harris' emphasis] the strongest such cycle in more than 1,000 years, since the days of Leif Ericsson, the mighty Norse Chieftain, who with his powerful

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Vikings, actually farmed Greenland. Then came the 'Little Ice Age' that eventually wiped them out.

"Since the latest cycle of global warming peaked about a decade ago, we have begun a slow, but steady, period of cooling in the mid-latitudes, this despite some lingering warming in the Arctic regions.

"It remains my firm climatological opinion that when widely-opposing air masses clash headlong, there are usually dire, often deadly, meteorological and climatological consequences. That's what led to our all-time record tornadoes in April and our record May flooding in the Mississippi Valley. Believe it!"

Harris says weather cycles can be charted back to at least 2500 B.C., and to help bolster his argument, he points to a now-defunct Illinois operation. "From the late 1940s through the early 1970s," Harris and Mann write elsewhere on the website, "a climate research organization called the Weather Science Foundation of Crystal Lake, Illinois, determined that the planet's warm, cold, wet and dry periods were the result of alternating short-term and long-term climatic cycles."

On the opposite side of the debate are scientists such as Thomas Karl, director of the National Oceanic and Atmospheric Administration's National Climatic Data Center, and Kevin Trenberth, head of the Climate Analysis section of the National Center for Atmospheric Research. In the December 5, 2003, issue of the journal *Science*, they write about climate changes they say should more aptly be called "global heating."

"There is no doubt that the composition of the atmosphere is changing because of human activities, and today greenhouse gases are the largest human influence on global climate. ... The likely outcome is more frequent heat waves, droughts, extreme precipitation events, and related impacts (such as wildfires, heat stress, vegetation changes, and sea level rise) that will be regionally dependent," they say.

Karl's and Trenberth's views are shared by the American Geophysical

Union, an organization of scientists that reports more than 58,000 members worldwide. Also in 2003, the union issued this position statement: "Human activities are increasingly altering the Earth's climate. These effects add to natural influences that have been present over Earth's history. Scientific evidence strongly indicates that natural influences cannot explain the rapid increase in global near-surface temperatures observed during the second half of the 20th century."

And finally, in 2009, researchers Peter Doran and Maggie Kendall Zimmerman at the University of Illinois Chicago reported the results of a survey they offered to 10,257 earth scientists. Of the 3,146 who responded, 90 percent believed that temperatures on Earth have risen since 1800, and 82 percent thought humans played a significant role in that increase. The overall results contrast with a Gallup survey taken last March that showed that 55 percent of the general public believe global warming is occurring, and 52 percent believe temperature increases over the last century were caused by human activity, while 43 percent thought they were caused by natural forces.

So there we have it: Climate changes result from natural cycles — not human activities — and in fact, the recent violent weather is because we're actually on the cusp of a cool-down. Or ... it's absolutely certain that the Earth is getting warmer, human activities have played a huge role and the higher temperatures will continue to cause weather extremes.

I'm not qualified to weigh in on that debate. And it's obvious that like nearly everything else *Illinois Issues* writes about, those questions have become all too polarized and politicized.

But one of the few advantages of having survived into my 60s is a certain amount of perspective. And from my vantage point, it certainly seems as if the weather is getting weirder. □

*Dana Heupel can be reached at heupel.dana@uis.edu.*



# Illinois Issues

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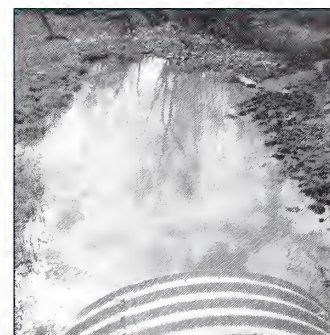
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Jamey Dunn



## To get the most out of the green jobs market, politicians have to do more than spend

by Jamey Dunn

**A**s Illinois and the nation struggle to recover after the recent recession, leaders are looking to the “green” industry — not only for environmental benefits but for its potential for job creation and economic growth.

President Barack Obama has pointed to sustainable energy as an important area for economic recovery, as well as a necessity for America to secure its place on the global stage.

In his 2009 State of the Union address, Obama issued a call to action to a country that was falling behind in the clean energy market. “We have known for decades that our survival depends on finding new sources of energy. Yet we import more oil today than ever before. ... We know the country that harnesses the power of clean, renewable energy will lead the 21st century. And yet, it is China that has launched the largest effort in history to make their economy energy efficient. We invented solar technology, but we’ve fallen behind countries like Germany and Japan in producing it. New plug-in hybrids roll off our assembly lines, but they will run on batteries made in Korea. Well, I do not accept a future where the jobs and industries of tomorrow take root beyond our borders — and I know you don’t either. It is time for America to lead again.”

But after two years and about \$90 billion in stimulus funds and tax breaks —

to promote renewable energy development, green job training, energy efficiency upgrades and high-speed rail projects — some economists say America is still lagging behind.

“We’re doing terrible. Oh, no, we really suck,” says Don Fullerton a professor of economics at the University of Illinois Urbana-Champaign. “The main reason is that there isn’t much incentive to do it.” Fullerton says such incentives must be more than grants and tax breaks. He notes that countries that are leading in renewable energy innovation and green job creation are doing so in part out of necessity because fossil fuels, such as gasoline, are much pricier than they are here.

In that same 2009 speech, Obama called for a cap-and-trade program that would require anyone who crosses a set threshold for carbon pollution to pay for their emissions, making the cost of now-cheap energy generated from fossil fuels reflect the costs in terms of the environment and public health. “But to truly transform our economy, protect our security and save our planet from the ravages of climate change, we need to ultimately make clean, renewable energy the profitable kind of energy. So I ask this Congress to send me legislation that places a market-based cap on carbon pollution and drives the production of more renewable energy in America,” Obama said.

In his 2010 State of the Union address, Obama used the connection between clean energy and economic might as an incentive for skeptics of climate change to support a push toward renewable energy sources. “I know that there are those who disagree with the overwhelming scientific evidence on climate change. But here’s the thing — even if you doubt the evidence, providing incentives for energy-efficiency and clean energy are the right thing to do for our future — because the nation that leads the clean energy economy will be the nation that leads the global economy. And America must be that nation.”

The U.S. House approved a cap-and-trade bill in 2009, but any push for federal legislation to attach a cost to carbon emissions has been declared dead for the time being by politicians and industry experts.

Those who decry spending to help get renewables off the ground should be reminded that their government gives billions in tax breaks to the oil industry, and the price they pay at the pump does not reflect the true cost of gasoline. “We say we want clean energy, but let’s not kid ourselves: The policies we have in place in the United States today are still incredibly pro-carbon. If nothing else, perhaps the Gulf oil spill will remind us that fossil fuels can appear cheap but have high social costs that are seldom reflected in



the price,” Lew Hay, a member of Obama’s Council on Jobs and Competitiveness and chairman and chief operating officer of Florida-based Next Era Energy, wrote in a 2010 opinion piece for the Utility Shareholders of Florida.

If the government decides to invest money with an eye toward job growth, renewable energy is not the worst place to do it. According to economics professor Robert Pollin, co-director of the Political Economy Research Institute at the University of Massachusetts, every \$1 million in government spending on renewable resources creates 17 jobs, while the same amount of spending in the oil or coal industries creates 5.5 jobs. Pollin explains why in a column he wrote on green investment and economic recovery for *The Nation*. “The main reasons for this disparity have nothing to do with whether the investments are green. Rather, there are two primary factors at play. The first is the higher ‘labor intensity’ of spending on green projects — more money is spent on hiring people and less on machines, supplies and consuming energy. This becomes obvious if we imagine hiring construction workers to retrofit buildings or install solar panels, or bus drivers to expand public transportation offerings, as opposed to drilling for oil off the coasts of Florida, California and Alaska.” Pollin said the second factor is that the government can direct such green investments toward American companies, while money given to oil companies, for the most part, goes overseas.

In his 2011 State of the Union address, Obama called for a reduction in oil subsidies to fund what he calls a “clean energy revolution.” “We need to get behind this innovation. And to help pay for it, I’m asking Congress to eliminate the billions in taxpayer dollars we currently give to oil companies. ... I don’t know if you’ve noticed, but they’re doing just fine on their own. So instead of subsidizing yesterday’s energy, let’s invest in tomorrow’s.”

Illinois felt a positive economic impact from stimulus spending in the green sector. The state saw an increase in jobs in both the solar and wind energy industries last year. A recent survey from Environment Illinois found that more than 1,000 businesses in Illinois provide

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***Illinois felt a positive economic impact from stimulus spending in the green sector. The state saw an increase in jobs in both the solar and wind energy industries last year.***

products or services related to energy efficiency. Argonne National Laboratory broke ground in June on a new \$95 million Energy Sciences building, which will be used for energy research, including alternative fuel sources for vehicles. According to the *Chicago Sun-Times*, the project will create 1,700 construction jobs and 2,000 support staff positions.

But experts agree that those gains will likely be short-lived if policy changes do not follow the money being spent. “You can’t just keep handing money out all the time. We have a horrendous deficit problem,” Fullerton said. “You can’t just use the carrots, especially if you can’t afford the carrots. You have to use a combination of carrots and sticks.”

There have been recent calls for increasing the federal gasoline tax, which has been 18.4 cents a gallon since 1993. Those include one from Dan Akerson, chief executive officer at General Motors, who said he would prefer an increase in the tax to encourage people to buy fuel-efficient vehicles instead of raising required efficiency standards, which he said could increase the cost of production by thousands of dollars per vehicle. “People will start buying more Cruzes, and they will start buying less Suburbans,” Akerson told the *Detroit News*. He said an increase in efficiency standards now could cost jobs in an industry struggling to recover after its collapse.

Fullerton also supports an increase in the gasoline tax. He says a higher tax does not have to equal government growth, but the revenue, along with money brought in by a cap-and-trade program, could be used for a number of things, such as payroll and corporate income tax breaks, subsidies to help struggling individuals deal with increased

costs associated with more expensive gasoline and paying down the deficit. He says even if the government gave people subsidies to offset some of the expense of more costly gas, the tax increase would lead many to use less and eventually seek alternatives.

Hay backs a cap-and-trade program, national energy infrastructure upgrades and a national requirement that utilities purchase a set percentage of their power from renewable sources, much like the Illinois Renewable Electricity Standard, which currently requires that by 2025, renewables must make up 25 percent of power purchased by utilities in the state.

“Nobody was banging at our door, nobody was listening to our phone calls for quite a while when selling more renewable power. The fourth quarter of last year, we picked up a lot of orders, and we’re seeing that momentum continue so far this year. So we’re cautiously optimistic about that, but we’re still nowhere near the rate that we were hoping to be at, at this point in time,” Hay said at a recent meeting of the Council on Jobs and Competitiveness.

Fullerton says a change in energy policy could mark a transition from an “old economy to a new economy” that will not be an easy one. He says it can be done with the guidance of government programs, but progress is held back by politicians’ tendency to throw money at their goals in lieu of casting difficult and potentially unpopular votes. “Everybody sort of wants the benefits without the costs.”

He adds that all the media attention the government has drawn to the need for an energy shift — and the potential for new jobs that could be a benefit — has gone a long way toward educating the public. However, he says without any reason to change their consumption patterns, most people won’t. “You can’t just disseminate the information. ... People hear that and they go ‘yeah, yeah,’ and they do whatever they want.”

If leaders truly believe that our economic recovery hinges on growth in the green sector they have to do more than just dole out cash and lip service. They are going to have to put their policy decisions where their mouths are. □

# BRIEFLY

## LEGISLATIVE CHECKLIST

*In the closing days of their spring session, lawmakers took up legislation dealing with firearm owners' rights and FOID cards, while juggling larger issues such as redistricting, workers' compensation reform, gaming expansion and the state budget. Meanwhile, Gov. Pat Quinn signed into law bills that will give licenses to craft brewers to distribute their own products and allow counties to charge fees for civil unions. Other legislation approved by both chambers awaits the governor's action.*

### **Civil unions**

**HB 3184, PA 97-0004** This bill, which Gov. Pat Quinn signed into law, allows county boards to determine fees up to \$75 for each civil union or marriage license. An allotment of \$5 from each fee will go into the state's Domestic Violence Fund. Couples in the state were able to join in civil unions starting June 1.

### **Brewery**

**SB 754, PA 97-0005** This bill, which Gov. Pat Quinn signed into law, will create a liquor license specifically for craft brewers who choose to self-distribute their beer. Breweries in Illinois and outside the state that produce fewer than 465,000 gallons, or about 15,000 barrels, are eligible for a permit to distribute up to 232,500 gallons, or about 7,500 barrels, of their own product in Illinois.

### **Education reform**

**SB7, PA97-0008** Teachers will have to get three positive performance reviews to earn tenure, under legislation signed into law by Gov. Pat Quinn. Tenured teachers receiving two "unsatisfactory" reviews in a span of seven years could have their teaching licenses revoked. Hiring and lay-off decisions will be based on skills instead of seniority, and firing teachers will be easier. Teachers' unions will need support from half of voting members — three-fourths of members in Chicago — to strike. If districts and unions cannot

reach an agreement, their demands will be made public.

### **FOID cards**

**HB 3500** The names and information for at least 4 million firearm owners in Illinois would be exempt from public inspection or copying, or release by the Illinois State Police, under a bill sent to the governor and sponsored by Rep. Richard Morthland, a Cordova Republican, and Sen. Kirk Dillard, a Hinsdale Republican.

### **Sears**

**HB 3435** This measure, sponsored by Rep. Fred Crespo, a Hoffman Estates Democrat, would have allowed Hoffman Estates to extend a deal that brought Sears to that city from a 23-year limit to 38 years. Sears would continue to get a majority of the share of property tax dollars collected from the development area in return for keeping at least 4,000 jobs at its headquarters in Illinois. The bill was not called for a Senate vote by the end of the regular spring session. Sears has reportedly threatened to move its headquarters out of Hoffman Estates if the state cuts off its tax break package.

### **Medicaid match**

**HB 2934** This bill, if signed by Gov. Pat Quinn, would allow for short-term borrowing of \$900 million from existing state funds to gain additional federal money by paying down a backlog on Medicaid bills, under a measure sponsored by Rep. Sara Feigenholtz, a Chicago Democrat, and Sen. Jeffrey Schoenberg, an Evanston Democrat.

### **Trans fat ban**

**HB 1600** Restaurants and other food facilities would have had to stop serving food with trans fat, under a proposal sponsored by Chicago Democrats Rep. La Shawn Ford and Sen. Donne Trotter. The ban would have taken effect in January 2013. The bill, which passed the

House in April but failed in the Senate, would bar public and private schools from selling foods containing trans fat in vending machines.

### **Safety belts**

**HB 219** All passengers in the back seat of vehicles would be required to wear a properly adjusted seat belt, under legislation sponsored by the late Rep. Mark Beaubien, a Barrington Hills Republican, and Senate President John Cullerton, a Chicago Democrat. The bill would be an add-on to the seat belt law that took effect in July 2003, which required only the driver, front seat passengers and passengers under the age of 18 in the back seat to wear seat belts. Back-seat passengers of taxicabs and those who ride in emergency ambulance vehicles would be exempt. If Quinn signs the bill, passengers who fail to wear seat belts could be fined up to \$60, according to the Illinois State Police, not including potential court fees.

### **Pregnant workers**

**SB 1122** Legislation sponsored by Sen. Terry Link, a Waukegan Democrat, and Rep. Jack Franks, a Woodstock Democrat, would prohibit any employer in the state from refusing to hire a woman based on a pregnancy or a related medical condition. The proposal that passed both chambers would also prohibit discrimination regarding a pregnant employee's employment renewal or promotions and training.

### **Drug overdose**

**SB 1701** People who seek medical attention for a drug overdose, as well as individuals who seek medical attention for another person who is experiencing an overdose, would not have been prosecuted if drugs were found in their possession, under a bill sponsored by Chicago Democrats Sen. Ira Silverstein and Rep. Kelly Cassidy. The legislation, which failed to gain enough votes in the House after passing in the Senate, would have



only applied to first-time offenders and could have limited the amount of drugs an individual would possess to be eligible for immunity from prosecution.

### **Meth charges**

**HB 1908** Individuals convicted of using methamphetamine would be only able to purchase or possess products with pseudoephedrine, a chemical often used in meth production, with approval from their parole or probation officer, under a proposal sponsored by Rep. John Bradley, a Marion Democrat, and Sen. William Haine, an Alton Democrat. The House and Senate approved the measure.

### **Muskrat hunting**

**HB 6** Under a measure sponsored by Rep. John Cavaletto, a Salem Republican, and Sen. Sue Rezin, a Morris Republican, muskrats may be taken by trap during an open season set each year by the Illinois Department of Natural Resources. The bill would not allow trapping of muskrats or mink with a leg-hold trap or body-gripping trap unless the body-gripping trap is completely submerged in water. The bill passed both chambers.

### **Abortion**

**HB 2093** Illinois physicians, nurses, medical technicians, social workers, clinics or medical facilities that offer abortions or contraceptives would be required to report instances of abuse or neglect of a patient — adult or child — to the Illinois Department of Children and Family Services, under a measure sponsored by Rep. David Reis, a Willow Hill Republican, and Sen. William Haine, an Alton Democrat, that passed both chambers.

### **Senior fare passes**

**HB 2874** The Regional Transportation Authority, or RTA, would have to fund, develop and make available a universal fare instrument that may be used interchangeably on all public transportation for riders 65 and older. The bill, sponsored by Chicago Democrats Rep. Barbara Flynn Currie and Sen. Jacqueline Collins, passed both chambers and

would require the instrument to be banned from use on required curbside transportation services regulated by the Illinois Americans with Disabilities Act.

### **Illinois DREAM Act**

**SB2185** Undocumented students who were brought to the country by immigrant parents as children would be able to invest in prepaid tuition and college savings programs under the so-called Illinois DREAM Act, which lawmakers sent to the governor. The legislation would set up a commission to oversee a scholarship fund dedicated solely for undocumented youth — who must have a high school diploma or the equivalent — seeking access to an affordable higher education. The program would not cost Illinois taxpayers. The proposal, sponsored by Senate President John Cullerton and Rep. Edward Acevedo, both Democrats from Chicago. Contrary to rumors, the legislation would not grant citizenship, an action available only to the federal government.

### **Funeral protests**

**HB 180** This measure, sponsored by Rep. Kay Hatcher, a Yorkville Republican, and Sen. A.J. Wilhelmi, a Joliet Democrat, would require protesters at funerals or memorial services to stay farther away — specifically 200 to 300 feet — and would institute a 30- to 60-minute time frame for protest activities before or after the service. Several protests at military funerals throughout the country and in Illinois by Topeka, Kan.-based Westboro Baptist Church prompted the bill. The controversial group protests soldiers' funerals because, according to its website, members believe that God is killing U.S. soldiers for defending a country that offers rights to homosexuals. Wilhelmi, sponsor of the bill that would extend an existing limit for the group, says he wants to push the distance limits gradually to avoid legal challenges. The bill passed both chambers. The U.S. Supreme Court ruled in favor of the church in March, maintaining that its protests are protected under the First Amendment of the U.S. Constitution.

### **Athletic concussions**

**HB 200** If Quinn signs this bill, the Illinois High School Association would be required to distribute concussion information produced by the U.S. Centers for Disease Control and Prevention to help educate coaches, student athletes and parents on the risks of sports-related head injuries. Park districts in the state would also be encouraged to provide information on the dangers of head injuries to residents and users of park district facilities, including young athletes, from a practice or game, under the measure sponsored by House Minority Leader Tom Cross of Oswego and Sen. Kwame Raoul, a Chicago Democrat.

### **Crime-free housing**

**SB 1766** Illinois landlords would be able to evict tenants who are arrested in a felony or a Class A misdemeanor that took place on the rented property if evidence is provided by the police department. Tenants who allowed others to commit such crimes on rented property would also be eligible for eviction, under legislation sponsored by Sen. A. J. Wilhelmi, a Joliet Democrat, and Rep. Anthony DeLuca, a Chicago Heights Democrat. The bill passed in both chambers.

### **Sex education**

**HB 3027** Local school districts choosing to offer sex education would be required to teach a “medically accurate and developmentally appropriate” curriculum, under a measure that would allow educators to choose from a range of “age appropriate” materials offered by the Illinois State Board of Education. The bill, sponsored by Rep. Karen Yarbrough, a Maywood Democrat, and Sen. Heather Steans, a Chicago Democrat, would mandate that materials be handed out to teach students how to protect themselves and their partners from sexually transmitted diseases and unwanted pregnancies. Under the bill, which passed in the Senate, parents could review the materials and decide whether their children should participate.

Jamey Dunn and Lauren N. Johnson

## BRIEFLY

### Budget remains unresolved at session's end

As the regular legislative session came to a close on the last day of May, the debate over the state's budget did not.

In the last days before adjournment, the Senate approved the House's budget plan, which was based on a revenue estimate that is about \$1 billion less than the Senate's projection. However, Senate Democrats tacked about \$430 million in additional spending onto another bill that would allow spending for capital construction projects in Fiscal Year 2012.

Sponsor Sen. Dan Kotowski, a Park Ridge Democrat, says education and the human service programs that would see some funding restored under his plan have proven effective or are vital to the state. Those areas include: general state aid to schools, addiction treatment and prevention services; meal delivery programs for the elderly; programs to address homelessness; and after-school programs. He also says some money has to be restored to implement court-ordered actions.

Republicans accused Senate Democrats of holding hostage the construction projects — which are often popular with voters and create jobs throughout the state — to get more spending passed. “The one thing you did about jobs in the last five years is the capital bill, and you’re jeopardizing funding going for-

ward on that because you can’t say no to more spending,” says Sen. Matt Murphy, a Palatine Republican. He added that the spending levels in the Senate Democrats’ plan would lead to lawmakers voting to make the current temporary income tax increase permanent in the future.

Gov. Pat Quinn, who supports the additional spending, had called for lawmakers to return to the Statehouse to vote on capital spending and ensure that projects continue through the construction season. Senate Democrats agreed to back down from additional spending and revisit the issue in the fall veto session.

Legislators did not approve any direct solution to Illinois’ estimated \$6 billion in unpaid bills to vendors, social service providers, local governments and schools. One piece of a borrowing plan to address the issue failed in the Senate, receiving only 19 votes in support. Those opposed to borrowing to pay down the bills say that any additional money that comes in above the House’s “conservative” revenue estimate would be spent on late bills. Legislators did approve an extension of the so-called lapse period that the state uses to catch up on bills from the previous fiscal year. The period normally closes at the end of August, but if Quinn signs the bill, it will last through the end of December.

Legislators also put off a vote on a plan some hoped would find the state substantial savings in the future. House leaders announced that a proposal to reduce pension benefits for current state employees needs more work and will not come up for a vote before the fall veto session.

House Minority Leader Tom Cross sponsored **Senate Bill 512**, which would have given the employees the choice of paying more to keep current benefits, opting for reduced benefits or investing their money in a plan much like a 401(k).

“We are absolutely committed to reforming Illinois’ public pension system for current employees. It must be done to stabilize our systems and address long-term financial issues for both the public employee pension systems and state government. We believe passage of legislation addressing this issue is essential to the state’s well being. ... We will convene meetings over the summer to address the issues and concerns that have been raised and work toward a solution in this year’s Fall Veto Session,” said a joint statement issued by Cross, House Speaker Michael Madigan and Tyrone Fahner, president of the Civic Committee of the Commercial Club of Chicago, which created the plan on which the legislation was based.

Jamey Dunn

### Fire story

Photograph by L. Brian Stauffer, courtesy of the University of Illinois at Urbana-Champaign



*William McClain, left, a botanist with the Illinois State Museum, with botanist John Ebinger and ecologist Greg Spyreas, both of the Illinois Natural History Survey at the University of Illinois, looked to tree scars for physical evidence of fires.*

Scars found in the growth rings of tree stumps tell a detailed history, stretching back to at least 226 years ago, of forest fires that at different times burned in most of southern Illinois, researchers say.

A study done in northern Hamilton County found that changes in the occurrence of fires dating back to early European settlement permanently altered the biology of the wooded area, which is filled with a number of old-growth post oak trees. “They were full of fire scars. I’ve never seen so many in my life,” says William McClain, an adjunct botanist with the Illinois State Museum. McClain says he was in search of these types of scars throughout his 40-year career: “There it was, finally.”

McClain, who led the study, counted the growth rings, fire scars and other visible features of 36 oak trees, which had been cut for research in 1996. Since then, McClain has collected and published these findings on fire history.

Researchers John Ebinger and Greg Spyreas of the Illinois Natural History Survey at the University of Illinois Urbana-Champaign, found evidence of more than 100 fires in Hamilton County between the 1770s and when the trees were cut down.



## Workers' comp savings unclear

After legislative leaders and Gov. Pat Quinn began calling it one of their top priorities at the beginning of the year, the General Assembly sent Quinn a workers' compensation reform package on the last day of the spring legislative session. But members of the business community say time will tell if the plan will result in substantial savings for Illinois businesses.

"It's a good day for employees in the state of Illinois, for job seekers in the state of Illinois," says Chicago Democratic Sen. Kwame Raoul, the Senate sponsor of **House Bill 1698**.

If Quinn signs the bill, which he vowed to do as of press time, all current arbitrators would be out of a job on July 1. They could reapply but would have to be confirmed by the Illinois Senate. The legislation would apply the same standards of judicial conduct to arbitrators as those applied to Illinois Supreme Court justices and would require them to take additional training. They would be appointed to three-year terms but could only spend two years working in the same location to prevent them from forming, as Raoul put it, "cozy" relationships with workers. These provisions were spurred in part by an investigation by the *Belleville News-Democrat* that

found Menard Correctional Center employees have been awarded more than \$10 million in workers' compensation benefits. The claims are being investigated by the state.

To avoid "doctor shopping" — visiting several doctors to get a desired diagnosis — employees would be given a choice of doctors from a network chosen by employers and approved by the Illinois Department of Insurance. If workers wanted to select a doctor outside the network, they would give up their option to seek a second opinion from another out-of-network doctor. When workers seek a diagnosis, the bill would require doctors to use American Medical Association guidelines to determine the level of impairment. Arbitrators would then consider those guidelines when deciding on workers' compensation cases.

The proposal would cut off lifetime benefits at age 67 or five years after the injury, whichever comes later. It would also cap benefits for carpal tunnel syndrome at 28 weeks. According to the Illinois Department of Insurance, the current average is 40 weeks.

Supporters estimate the legislation would result in \$500 million to \$700 million in savings for businesses in the state. Raoul says the largest cost-cutting provision would be a proposed 30 percent

reduction to the fees doctors are paid for treating injured workers.

However, House Minority Leader Tom Cross says the savings projections are "manipulated," "embellished" and greatly miss the mark. "We may be lucky to get to \$100 [million] to \$200 million in savings."

While Greg Baise, president and chief operating officer of the Illinois Manufacturers' Association, supports the bill, he says he cannot predict whether the changes will reduce the cost of workers' compensation insurance for employers.

Republicans — in favor of the plan and opposed to it — say the legislation unfairly targets health care professionals to create most of the savings. Members of the medical community lobbied unsuccessfully for a 20 percent reduction instead of the 30 percent contained in the bill.

"If you would make the changes that we would ask, you would still legislate a workers' compensation reform bill that would save employers more than \$500 million. But the 30 percent fee reduction that's in this bill is unreasonable and unnecessarily pits health care providers against business," says Howard Peters, executive vice president of policy and advocacy for the Illinois Hospital Association.

Jaimey Dunn

Prior to 1850, the fires burned in the woodland nearly every two years, although the fire-damaged trees found in the study had repeatedly healed and remained intact despite many intense fires, researchers say.

McClain says vital parts of the oak trees were damaged and dead as a result of excess heat exposure from the constant fires forming scars. "There's a layer of tissue between the bark and wood called the cambium, and the layer of tissue is responsible for growth. It's just a few layers thick, but it's critical for the tree."

From 1850 to 1885, he says there was no evidence of fires as settlers colonized the area and brought yearly burning to an end. In 1885, the fire scars reappeared because of localized burning of wooded areas by landowners. "These smaller, less intense fires were probably started to enhance forage quality for livestock, improve visibility for hunting and to reduce the amount of flammable material in the underbrush," Spyreas said in a prepared statement.

The study can be found in *Castanea*, a botanical science journal published by the Southern Appalachian Botanical Society. It confirmed that the people who lived in Illinois before European settlers and pioneers set forest fires by habit almost

every year in most of the southern Illinois region to create grassland for grazing.

Fires in the woodland area of Hamilton County, which consisted of prairie land and forest, occurred at least every two or three years, McClain says. He adds that the repeated burning, which was a tradition in the region in the late 1800s and early 1900s, worked to stabilize prairies and open woodland, often called "barrens," until the late 19th century, when attempts from new settlers to end the fires allowed different plant species such as wildflowers to take over.

"And then, you have a gap of a couple of decades where there were no fires, and suddenly, the whole system is completely different. It's amazing how, from Kansas to Ohio, these ecosystems completely depend on fire to be stable," Spyreas added.

McClain plans to continue his research in Illinois forests, open woodlands and prairies. "It's been 50 years since we first started. I think that's pretty remarkable," he says. Currently, McClain studies trees and prairie plants in southern Illinois, which involves determining and measuring their value and importance to the prairie community.

Lauren N. Johnson

## BRIEFLY

### Obama order leads to waterway cleanup

Officials at the Metropolitan Water Reclamation District of Greater Chicago agreed in June to disinfect its wastewater from two of its water reclamation plants after years of strong resistance.

An order from President Barack Obama's administration urging the state and city of Chicago to clean up its major waterways sparked the agency that manages the Chicago-area sewage and storm water system to drop longtime opposition and begin following cleaner water quality standards.

Debra Shore, a commissioner for the district, says the 8-1 vote was a "big step" out of many necessary to achieve a cleaner system to accommodate the increased recreational and aquatic activities on the Chicago River. "People are drawn to the water. And people have been flocking to these waters with their paddles, fishing rods, walking with their pets and boating. ... These waterways can become an even more vital amenity for a great metropolis."

The reclamation district, funded through Cook County property taxes, opposed the initiative at first, saying that disinfection of wastewater at the Calumet and North Side plants alone would cost an estimated \$240 million in infrastructure and \$10 million for annual operation.

The district expects the action to boost taxes by about 12 percent to 15 percent.

"We really are pleased that the [MWRD] board also supports a move to disinfect wastewater treatment plants that also discharge to those primary contact waters," says Marcia Willhite, chief of the agency's Bureau of Water. "The Illinois EPA has supported all along upgrading recreational use and disinfection of the effluent, so we are pleased that things are moving along quickly at this point."

In May, the U.S. Environmental Protection Agency told the state of Illinois in a written letter that it was "long overdue" updating water quality standards provided by the federal Clean Water Act of 1972. In that same year, the state classified the waterway system as "secondary

contact waters," for uses such as boating, noting that they were not intended for other types of recreation, according to the Illinois EPA's definition.

Willhite says that for years, certain sections of the waterway system were designated for uses such as boating but not for swimming. "Because these waters were secondary waters, they were not required to be disinfected, and now they will be," Willhite says.

More than a decade ago, the IEPA noticed increased activity at the river and last August proposed rules allowing swimming, in addition to recreational use, to the Illinois Pollution Control Board. Those rules were geared to increase the level of protection. However, the federal EPA demanded that the state impose stricter water quality standards.

The agency said that if state and city officials fail to agree to tougher water quality standards, the "EPA will promptly do so itself," using its authority under the federal Clean Water Act.

On average MRWD plants release roughly 1,887 million gallons daily of unfiltered wastewater into the Chicago Area Waterway System — made up of the Chicago River, Sanitary and Ship Canal, Des Plaines River, Calumet-Sag Channel and Calumet River — including 1,200 million gallons from the Stickney plant, which is the largest wastewater treatment plant in the country, according to IEPA.

Shore says the EPA proposal only called for disinfection of wastewater from two of the three main district plants, excluding Stickney, which she says would cut the costs by 50 to 60 percent.

The board in a mid-June meeting approved both the IEPA proposal and demands from EPA to adopt new designations for the waterway system. The final decision now goes to the Joint Committee on Administrative Rules to be reviewed.

For more on disinfection of the Chicago waterway system, see *Illinois Issues*, March 2010, page 24.

Lauren N. Johnson



### Environmentalists sue over pollution

A trio of environmental groups filed suit in federal court seeking to stop the Metropolitan Water Reclamation District of Greater Chicago from dumping sewage and algae-creating pollutants into the Chicago River system in violation of the federal Clean Water Act.

District spokeswoman Patricia Young declined to comment about the suit because district attorneys had not formed a response as of press time. The district covers an 875-square-mile region in Cook County and operates seven wastewater treatment plants.

Ann Alexander, senior attorney with the Natural Resources Defense Council, says the district, as is customary in older cities, uses a combined sewer overflow system that connects storm and sanitary

For more news see the *Illinois Issues* website at  
<http://illinoisissues.uis.edu>





*The north branch of the Chicago River*

pipes, “which works great, except during a rainstorm, when the capacity of storm water overwhelms the plant. So what they do is, they just dump out this mixture of sewage and storm water into the river, and those are called combined sewer overflows (CSOs). It is as disgusting as it sounds because it’s basically untreated sewage that’s going out into the river.”

The district has been working on a \$3 billion tunnel and reservoir project (also known as Deep Tunnel) since the 1970s. It has been in partial use since 1985, but it is not expected to be completed until 2029.

Currently, the system has more than 109 miles of deep rock tunnels that can store 2.3 billion gallons of CSO, says Acting Executive Director Kevin Fitzpatrick. When the reservoirs are com-

pleted, the system will hold 15 billion gallons.

“The point of our lawsuit is, you’ve got to do this faster; you’ve got to do it right. And what we believe is doing it right is not just finishing the tunnel and reservoir project but using green infrastructure, which means using natural systems to absorb the storm water before it ever goes in the

system. For instance, if you have rain gardens, or rain barrels or green roofs, these are all ways in which you can prevent water from ever going into the pipe and, hence, overwhelming the system.”

Meanwhile, the suit complains that the system’s discharge of wastewater containing phosphorus is contributing to the so-called dead zone in the Gulf of Mexico. Excess phosphorus triggers algae growth, which blocks sunlight and

sucks the oxygen out of the water, according to the NRDC.

“They are discharging significant amounts of phosphorus,” Alexander says. “Hence, down river of the plants, you have huge problems with phosphorus, and the district is a major contributor to that. Studies and surveys have determined that the Chicago area watershed, which is predominantly the Water Reclamation District sewage, is primarily responsible for the largest single share of the Gulf dead zone. That’s not to say we’re the biggest contributor. We’re the majority contributor, 1 or 2 percent. The point being it’s really death by a thousand cuts down there, and we’re the biggest cut.”

The other groups involved in the suit, which was filed in Chicago, are Sierra Club and Prairie Rivers Network.

*Maureen Foertsch McKinney*





## Dry cleaning chemical prompts legislation

Over the past four years, three quarters of the notices that the Illinois Environmental Protection Agency has sent out to residents about potential water contamination have been linked to a chemical commonly used by dry cleaners.

That is why the IEPA began to look into a way to stop the usage of perchloroethylene, also known as perc, according to Scott Phillips, bureau chief of the IEPA's Bureau of Land. Perc is classified as a "probable or potential human carcinogen," but at least one of the chemical compounds created when perc breaks down, vinyl chloride, is a known carcinogen. Phillips adds that in the last 15 years, more than 800 dry cleaners have participated in the IEPA's voluntary cleanup program to address possible releases of the chemical into the environment. Currently, 225 of those sites are being cleaned or waiting for cleanup.

High profile cases also led to the push for a ban. The *Chicago Tribune* uncovered a story about officials in the village of Crestwood secretly pumping water for residential use from a well contaminated with some of the chemicals resulting from the breakdown of perc, including vinyl chloride. "The Crestwood incident and some of the other situations that preceded that prompted a heightened interest in what is in groundwater," Scott says. But an outright ban on the chemical did not gain enough support in the Illinois General Assembly. So the IEPA sat down with stakeholders in the industry and tried to create a plan to phase out the use of the chemical, while still giving the industry time to seek viable alternatives.

**Senate Bill 1617** would require dry cleaners to phase out using the chemical by 2030. Phillips says that date would

allow dry cleaners to get their money's worth out of the machines they currently have, which last about 15 years. Phillips says while the IEPA sees the need to phase out perc, "we've got to be cognizant of the economic realities as well."

Phillips says the IEPA also needs time to test alternative chemicals for effectiveness and environmental impact. "The lack of a real viable alternative is a major issue," says Peter Valessares, spokesman for the Illinois Professional Drycleaners and Launderers association.

In the meantime, the bill would require additional training for those working with perc. "It will help bring an awareness of the nature of this material and how it needs to be properly handled for the safety of the public, as well as the individuals handling it," Phillips says.

Valessares says most in the industry see the phaseout as a favorable alternative to the constant threat of an immediate ban. "If there's no bill, there's going to be a situation where somewhere there will be a spill, and somewhere there will be an accident. And the press is going to sensationalize it, and some lawmakers will jump up and down and say we need to ban it yesterday."

However, proponents say push back from a small faction of cleaners helped to stall the bill, which passed unanimously in the Senate but failed in a House committee. These opponents argued that the bill unfairly singled out dry cleaners for the ban, when perc is also used as an industrial solvent. Phillips says the IEPA focused on dry cleaners because they are often located in residential neighborhoods. He says the IEPA plans to continue to pursue the phaseout and may look to ban the chemical in other industries in the future.

*Janey Dunn*

## State reassesses nuclear plant safety

In the wake of one of the worst nuclear meltdowns in history at the Fukushima Daiichi power plant in Japan, Illinois is re-evaluating its own nuclear safety system. Some advocates also are calling for the shutdown of reactors based on designs similar to the ones that melted down in Japan.

After an earthquake and tsunami struck Japan in March and led to a meltdown at the plant near the country's eastern coast, concerns grew about nuclear plants throughout the rest of the world. Gov. Pat Quinn called for a "full scale review" of safety measures at the state's six operating nuclear plants — with a total of 11 reactors. Witnesses representing the Illinois Emergency Management Agency and Chicago-based Exelon Corp., which owns nuclear plants in Illinois and Pennsylvania, testified before an Illinois Senate committee about the differences between their safety systems and those in Japan.

The General Assembly approved **House Bill 1723**, which would raise fees Exelon pays to the state. The money would go toward upgrading the computer system IEMA uses to monitor Illinois' nuclear plants, as well as for hiring new personnel and purchasing equipment needed to respond to a nuclear emergency. IEMA cites its system as one of the key components to the state's safety plan. It monitors conditions at all of the state's plants and reports 24 hours a day to IEMA. "It would play in a critical role in making sure that we have complete visibility and an ability to react in the event of any type of incident," says Jonathon Monken, director of IEMA. "Had a system like this existed in Japan, they would have had much better information as far as how to do an evacuation, where the actual radiation was flowing, the amount of radiation that was leaking. This is a significant system that is drastically





better than the system that is actually in place in the Fukushima plant.”

However, Monken says the system operates on “ancient computer language” that is “long overdue for an upgrade,” so it can be operated on desktop computers. “The system is still functioning as it should. That being said, it’s time to make an investment necessary to make sure that the system continues to function into the future. With the number of power plants in Illinois, and more than 50 percent of the state’s electricity coming from nuclear-generated power, we need to take a long-term approach to make sure that that system continues to function properly.”

However, a group of nuclear watchdog organizations has petitioned the U.S. Nuclear Regulatory Commission to close the four Illinois reactors in the Dresden and Quad Cities plants that have containment units built upon the same design as the Fukushima plant.

David Kraft, director of the Chicago-based Nuclear Energy Information Service, described on its website as a “non-profit organization committed to ending nuclear power,” says that despite claims from Exelon, the NRC and IEMA that enough changes have been made to the original design to make these reactors safe, there are still serious safety risks associated with the way used nuclear fuel is stored and the system used to suppress pressure coming from the reactor. “We believe that those four reactors have design flaws that are inherent in them that have not been properly addressed,” Kraft says. The coalition is asking that the reactors be shut down for a thorough review and, if the issues cannot be addressed, potentially decommissioned.

Jamey Dunn

## Brown marmorated stink bug puts entomologists on alert

The brown marmorated stink bug (*Halyomorpha halys*) hasn’t made much noise in Illinois, but an East Coast entomologist says the Asian invader that has been damaging crops in the mid-Atlantic states could develop into trouble in Illinois.

Just a few of the potentially foul-smelling bugs have been reported in Illinois: the first in Cook County last fall, in Kane County in January and a few in Champaign and McLean counties in April, says Kelly Estes, state survey coordinator for the Illinois Cooperative Agriculture Pest Survey. The survey is a joint effort among several state and federal agencies, including the Illinois Natural History Survey and the state and federal Departments of Agriculture.

But the creature, which is believed to have come from Asia into the United States about 1996, has become a particular problem in the mid-Atlantic states, says George Hamilton, entomology department chair at Rutgers University in New Brunswick, N.J.

“It’s a huge, huge problem for fruit and vegetable growers in the mid-Atlantic states,” particularly Maryland, New Jersey, Pennsylvania and West Virginia. “They’ve had significant injuries to orchards,” Estes says.

“The worst hit areas so far are in the mid-Atlantic,” Hamilton agrees, “with some tree fruit and vegetable growers

experiencing up to 90 percent-plus damage last year. They are damaging peaches, apples, pears, tomatoes, peppers, sweet and field corn, soybeans, grapes, blueberries and brambles.”

What is the potential for the bug to harm crops in Illinois?

Hamilton says, “It may take a couple of years for them to build up to damaging levels, but it’s possible — especially in corn and soybeans.”

Estes says her agency is trying to get a sense of where the insect has traveled to in Illinois. E-mailed photographs work for prescreening, she says, or an actual insect can be sent.

According to Rutgers, the insect has a shield-shaped body. Adults are about 5/8 of an inch long with a mottled brownish gray color. “Several of the abdominal segments protrude from beneath the wings and are [alternately] banded with black and white. The underside is white, sometimes with gray or black markings, and the legs are brown with faint white banding.”

For individual homeowners, the pest can be a nuisance, Estes says. “In the fall, when plants start to die off and it starts getting colder, they will over-winter in garages, basements, things like that. So it’s really a nuisance pest for homeowners, as well.”

The name? “When they are crushed they do have a foul-smelling odor,” she says.

Maureen Foertsch McKinney

Photograph courtesy of the U.S. Department of Agriculture



The adult (left) brown marmorated stink bug (*Halyomorpha halys*) and juvenile (right).

# State of the parks

Deferred maintenance of Illinois' natural sites  
creeps toward the billion dollar mark

story and photograph by Chris Young



*With large a backlog of maintenance and repair needs, state parks such as Starved Rock, shown here, are unable to replace even basic items such as interpretive panels that are worn out or defaced.*

A backlog of repairs and maintenance at Illinois state parks has piled up to the tune of three-quarters of a billion dollars, and no one is sure how the Illinois Department of Natural Resources is ever going to catch up.

DNR says nearly \$750 million in repairs and maintenance are needed.

"It is truly a staggering amount," says former DNR director Brent Manning. "If you allow things to go downhill, depreciate in a very significant fashion, replacement costs get higher and higher."

At risk are the parks' natural areas, campgrounds, lodges, trails, hunting areas and other amenities. The DNR says its 324 state parks, fish and wildlife areas, recreational areas, state forests, state trails and natural areas receive 45 million visits a year and generate \$3.2 billion in economic activity.

Advocates for Illinois' state parks say the repairs have been put off too long.

"If the roof is leaking and you can't afford to patch it, then before long, it's not just the leak that needs to be fixed, it's the whole roof that needs to be replaced," says Jerry Beverlin, who retired as DNR's director of land management in 2003.

"I don't know how long it's been since they had a really decent capital budget; it's certainly been since the Blagojevich administration started — a little over eight years.

"Things have been pretty slim."

DNR receives about \$50 million a year in general tax revenue, so it would take 15 years of the agency's general revenue fund appropriation to cover the backlog. The remaining three-fourths of the agency's budget comes from special funds, federal grants, fishing and hunting licenses and other fees.

Manning, who was DNR director under Govs. Jim Edgar and George Ryan and now heads the Forest Preserve District of DuPage County, likes to say — only partly in jest — that DNR's



annual appropriation amounts to “a rounding error for larger social service agencies.”

Some have suggested the state should begin charging entrance or parking fees, but DNR has not taken a position on the issue. The agency has the authority to charge entrance fees to parks if it decides to make the change through the state’s administrative rules process. But so far, Illinois state parks remain free and open to the public, although some fees are charged for camping and other special uses.

“We continue to look at all revenue possibilities with our budget,” says DNR spokeswoman Januari Smith.

DNR’s financial problems are twofold.

First, the agency’s share of general revenue funds (state tax dollars) has been halved over the last decade. According to DNR, the agency received \$107 million in general revenue funds in fiscal 2002 — about half of the agency’s total budget that year. For Fiscal Year 2011, that figure dropped to \$51 million.

Putting off park maintenance has been a money-saving strategy for state budget writers for years. And when additional budget cuts were announced last summer, DNR was told to put off park maintenance again.

The agency has been left to rely more and more on special funds, but some of those funds are restricted and can’t be used for all of DNR’s expenses. In addition to hunting, fishing and state parks, the agency oversees the Illinois State Museum, and regulations for mines, minerals and water resources, among other functions.

Accounts that receive money from hunting and fishing licenses, for example, also receive federal matching funds. The Illinois General Assembly can’t legally take money from those accounts — although it has tried on several occasions. But the legislature can and does tap into other special funds, although it has done away with the term “sweeps” and now just “borrows” from the funds with the promise to repay the money within 18 months of the transfer.

No matter what the practice is called, it leaves less money available for DNR to use for parks and other expenses. And in a budget statement posted on DNR’s website, Director Marc Miller says those funds are starting to run dry.

“The IDNR [has] leaned more heavily on its constituents, through licenses and fees,” Miller writes. “Balances in funds that

hold these revenues have been depleted because of GRF cuts and because of sweeps of cash in those funds.

“Current projections are that without some change, most of these other funds [such as Boating, Natural Areas, State Parks, Parks and Conservation] will be drawn to near zero within one to two years.”

Lenore Beyer-Clow, policy director for Openlands, a Chicago-based advocacy group, says her organization has come down hard on efforts to sweep funds dedicated for land acquisition and protecting open space. She says millions of dollars have been transferred out of the Open Space Land Acquisition and Development Fund and the Natural Areas Acquisition Fund, both administered by DNR.

Those funds receive a percentage of a tax on the sale of real estate.

“They are designated for land acquisition, and they are being swept out or borrowed for other things,” she says. “In March, they took \$23 million from OSLAD and \$9 million from other DNR funds, including \$3.5 million from NAAF.” The Natural Areas Acquisition Fund also helps care for natural areas and helps DNR maintain natural heritage staff.

“And that was the second borrowing,” Beyer-Clow says. “Back in September of last year, they took \$15 million from OSLAD [for a total of \$38 million]. We haven’t seen that paid back yet.”

Open Space Land Acquisition and Development grants are distributed to park districts and communities to acquire land for parks or to improve parks they already have. DNR recently announced \$11 million in those grants to be awarded.

“We have some pretty big concerns about that,” Beyer-Clow says. “The state has been borrowing internally, since it can’t borrow and restructure its debt.” The Illinois Senate voted down a plan May 29 to borrow \$6.2 billion to pay off its old bills.

With serious limitations in funding and lots of work to do, Beverlin says DNR will have to set priorities and then communicate those to the public.

“You can’t get from point A to B until we decide what we do for a living here,” he says. “It’s going to be tough, and sooner or later, there’s going to have to be an explanation of ‘Here are our priorities, and here is where we’re going, and here is how we are going to get there.’”

## ***To charge?***

The Illinois Department of Natural Resources has the legal authority to charge admission or parking fees at state parks, but it stayed quiet on the subject during the recent legislative session.

“We are one of the few states that don’t have fees for state parks,” says former DNR director Brent Manning. “But I do have mixed emotions in that regard. Fishermen and hunters already pay their fair share for participation in fish and wildlife areas and state parks.”

Hunters, anglers and boaters all pay for a variety of licenses, stamps and other fees. They often point to bicyclists, bird-watchers and other casual park users who do not pay extra.

“I understand the logic if people feel like, ‘I pay taxes, and I should have this opportunity,’” says Jerry Beverlin, who retired as DNR’s director of land management in 2003. “That’s not

something you can just blow off, but there are people who are paying part of their way.

“I don’t know if anybody is paying all of their way,” he says. “It’s still not enough.”

“Taxes don’t come anywhere near covering what the real cost is,” Manning says.

He says some sort of license or stamp purchased by park users would be the easiest to implement.

That would eliminate the need for a tollbooth or extra employees to staff entrance points.

Manning says spot checks — much the way conservation police officers check hunting and fishing licenses — is an effective enforcement measure.

“Those are the kinds of things it is going to take to make some things work,” Beverlin says.

*Chris Young*

Those decisions won't be easy. "What are we going to let the reins drop on?" Beverlin asks. "Is tourism more important than resource protection issues?"

Manning says public safety has to be the No. 1 priority.

Mississippi Palisades State Park near Savanna and Starved Rock State Park near Utica, for example, have some of the state's most spectacular natural features, including rocky bluffs along the Mississippi and Illinois rivers.

Such natural wonders draw visitors, but they can also create additional maintenance requirements because trails, stairways, bridges and railings on steep slopes are more difficult and expensive to maintain than those on flat surfaces.

Still, they must be kept in good shape to keep visitors safe.

Manning says needs must be prioritized for public use and natural resources protection, but that, too, can be complicated. And not all state sites have the same function.

Public waterfowl hunting areas, for example, are protected by levees that must be maintained. They require pumps and other infrastructure to help managers mimic wet and dry cycles of wetlands to benefit migratory birds and other creatures year round — as well as hunters during the fall. But it all costs money, so managers may turn their attention to those sites that generate income. "If you start looking at things in terms of what's bringing income into the site, then suddenly, campgrounds become very important because they generate income," Beverlin says.

"The thing I would like to see is a five-year plan," he says. "If you keep doing things by need, you are responding in a reactionary way instead of setting goals and standards. Then it gets a little bit simpler, plus you can tell the public what your goals and plans are."

Illinois' natural resources inspire and entertain.

The state counts on its oak-hickory forests to draw deer and turkey hunters, its native grasslands to entice upland game hunters, and healthy wetlands to attract waterfowl for duck and goose hunters. The state's lakes and waterways draw anglers and boaters of all kinds. Licenses, permits and fees charged to hunters, anglers and boaters help DNR defray the costs.

But invasive species of plants and animals can damage or degrade the natural character that made the parks so attractive in the first place.

Invasive species — with the exception of jumping Asian carp — aren't always noticeable. Often, invasive species such as bush honeysuckle, autumn olive, garlic mustard and many others look just as green as their surroundings. Only a trained eye would spot trouble.

"It's like cancer. It's here right now, and it's going to get worse if you don't do something," says John Ebinger, professor emeritus of botany at Eastern Illinois University.

Once established, invasive species — often those from other continents that thrive without their natural enemies — are difficult or impossible to eradicate. That means it takes a long-term commitment to keep them in check — and preserve the state's natural character.

"You've got to go back time after time," Ebinger says. "You can never eradicate a species that reproduces well. You have to try to keep it under control."

Ebinger says funding to control invasive species has been spotty. "Erratic. That's a good word for it," he says.

Invasive species are one of the two top reasons — along with habitat loss — behind most of the species on the threatened or endangered list. "There are threatened and endangered species that are well-adapted to their habitats, but their habitats keep changing," Ebinger says.

Beverlin says site managers aren't likely to hear many complaints about invasive species. "Very seldom is it going to be, 'There is bush honeysuckle all over the site,'" he says. "It's going to be a boat ramp or campground issue — things people can see."

If those natural resources disappear, at least some of those park visitors (and their licenses and fees) might be lost, too. "It's going to be an issue," Beverlin says. "I think that somewhere down the road [if something is not done], the oak-hickory forest may be a thing of the past." □

*Chris Young is a staff writer and photographer for the Springfield State Journal-Register.*

## **Overdue maintenance** **Illinois Department of Natural Resources**

<b>Project categories</b>	<b>Estimated Budget (\$1.0 = 1,000)</b>
Accessibility compliance	\$8,792.0
Bike trails	\$6,385.0
Boating	\$13,230.0
Bridge program	\$3,151.0
Cabin development	\$6,425.0
Camping projects	\$62,097.0
Canal projects	\$41,645.0
Concessions	\$32,932.0
Dams	\$40,185.0
Day use	\$19,653.0
Fish hatchery program	\$10,111.0
Hiking & equestrian trails	\$23,048.0
Historic structures	\$2,284.0
Land acquisition & easements	\$28,492.0
Lodge development & maintenance	\$48,535.0
Miscellaneous projects	\$16,695.0
Natural areas program	\$2,025.0
Pole buildings/service buildings/offices	\$81,015.0
Propagation program	\$494.0
Research & studies	\$945.8
Research facility program	\$3,310.0
Residence structures & utilities	\$1,599.0
Roads & parking	\$22,997.3
Roofing program	\$11,436.0
Shower building projects	\$12,798.0
Site development/enhancement	\$12,589.0
Swim beach projects	\$6,201.0
Toilets, playgrounds & picnicking	\$39,338.0
Tree nursery program	\$1,855.0
Visitor services & interpretation	\$102,985.0
Water & septic systems	\$34,453.0
Waterfowl program	\$6,421.0
Watershed/dredging/erosion control	\$42,093.0
Wetland & habitat projects	\$2,384.0
<b>Grand total</b>	<b>\$748,599.1</b>



# Natural Illinois



*Fishing at Ferne Clyffe State Park in southern Illinois*

©Photograph courtesy of Illinois Department of Natural Resources by Adele Hodde



*Ferns cling to sandstone bluffs in Starved Rock State Park. Fragile plant and animal communities are threatened by invasive species and a lack of natural areas management.*

Photograph by Chris Young



*A lady slipper orchid flowers at Starved Rock State Park. Conservative plant species like orchids are susceptible to changes in habitat such as invasion by non-native plants and a lack of management.*

Photograph by Chris Young

*Background: Adeline Jay Geo-Karis Illinois Beach State Park is at Zion on Lake Michigan.*

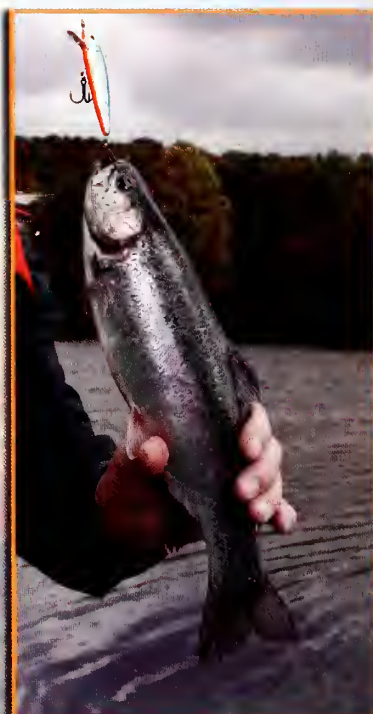
©Photograph courtesy of Illinois Department of Natural Resources by Adele Hodde





**Ferne Clyffe State Park, marked by limestone bluffs, is in Johnson County.**

©Photograph courtesy of Illinois Department of Natural Resources by Adele Hodde



**A trout is caught at Ferne Clyffe State Park.**

©Photograph courtesy of Illinois Department of Natural Resources by Adele Hodde



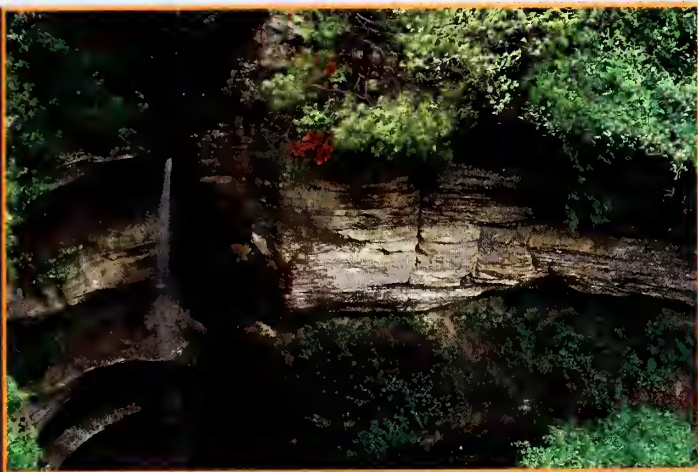
**Fringed gentian (*Gentianopsis crinite*) at Illinois Beach State Park**

©Photograph courtesy Illinois Department of Natural Resources by Adele Hodde

**Background: Illinois Beach State Park stretches for six and a half miles along the sandy shore of Lake Michigan.**

©Photograph courtesy of Illinois Department of Natural Resources by Adele Hodde





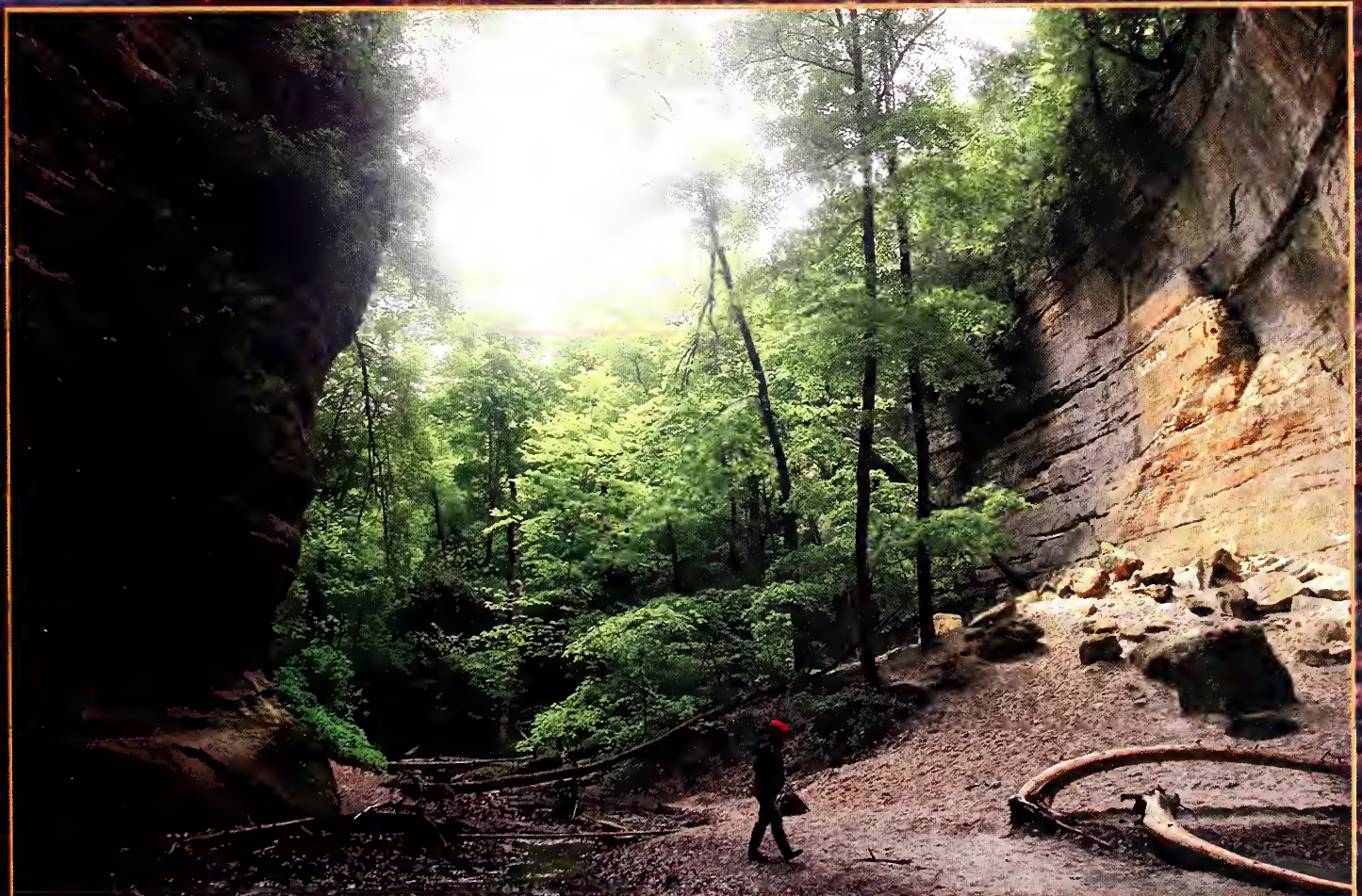
*Visitors are attracted to natural features at state parks such as Wildcat Canyon's waterfall. Starved Rock features sandstone canyons and bluffs carved by torrents of water released by melting glaciers thousands of years ago.*

*Photograph by Chris Young*



*Adeline Jay Geo-Karis Illinois Beach State Park*

*©Photograph courtesy of Illinois Department of Natural Resources by Adele Hodde*



*Starved Rock State Park offers sandstone canyons and breath-taking scenery.*

*Photograph by Chris Young*





*This picture of purple liquid flowing from a drain pipe was snapped by neighbors of the Tradition Dairy near Nora in the northwestern corner of the state. The dairy is facing charges before the Illinois Pollution Control Board that purple runoff from silage — cornstalks shredded and fermented for cow feed — contaminated the Apple River.*



# The purple river

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Illinois seeks to balance its agriculture interests against clean water efforts

by Kristy Kennedy

Matthew Alschuler couldn't believe his eyes. The South Fork of the Apple River near his home in Jo Daviess County was flowing in front of him, and it was the color of grape Kool-Aid.

His first thought last fall was of the nearby unfinished "mega-dairy" that was somewhat operational. "He's done it again," Alschuler says he thought. "We'd complained about previous discharges before, but this was just staggering. The guy doesn't even have cows there yet."

Alschuler attached a bottle to a long pole and scooped up a sample. He called the Illinois Environmental Protection Agency. Following an investigation, the agency pointed to silage leachate stored at Tradition Dairy as the source of the purple liquid.

The color may have been caused by bacterial contamination, but no one is entirely sure. Dairy attorney Donald Manning contends no harm was done to the environment, even as the dairy is defending itself before the Illinois Pollution Control Board. "It was a big splashy event," Manning says. "I do know from my own very active involvement that the color is no indicator of any kind of harmful content or pollutant that would cause any damage to aquatic life or animals."

While the story of the purple-flowing river grabs headlines, getting to the heart of issues involving the environment, pollution and the farming of animals in Illinois is as complicated as trying to figure out how the leachate turned that bright shade of purple.

Illinois ranks 12th on the U.S. Environmental Protection Agency's list of impaired waters by state, with agriculture nationally the biggest "probable source of impairment." An IEPA 2010 draft report on water quality shows 657 stream miles and 23,355 lake acres likely "impaired" by livestock operations. Meanwhile, environmental groups call Illinois among the worst when it comes to laws regarding factory farming and pollution control enforcement. Last fall, the federal government rebuked the IEPA, noting widespread problems with its monitoring of concentrated animal feeding operations, or CAFOs, and calling for improvements. That action landed Illinois smack dab in the middle of the environment vs. factory farm debate.

Understanding how Illinois got there requires a look back to the 1970s, when the Environmental Protection Agency was founded and the Clean Water Act was passed. The law aimed to control water pollution through such sweeping reforms as setting water quality standards, implementing pollution control programs and requiring permits for pollutant discharges into waterways. The permits would become an issue later for farmers, but at the time, the main focus was on factory pollution.

In Illinois at that time, the IEPA gave only about 35 percent of streams a good water quality rating. There were about 128,000 farms in Illinois, and as is the case now, the state was one of the top hog producers in the nation. Among the

farmers were Sandy and Eldon Gould, a young couple who settled in Maple Park, east of DeKalb, to build a state-of-the-art facility to house hogs. A concrete pad outfitted with heating coils and huts for the pigs was built on a slope so rain would wash manure into a lagoon in front of the huts. Rather than move the hog operation to a different field each year and plow under the manure that accumulated, the Goulds would fertilize their cropland with the manure lagoon. It was an improvement over keeping the hogs in an open pasture. The survival rate of piglets was higher, and the hogs' skin didn't crack from the sun.

Meanwhile, about 40 miles north in Woodstock, Linnea and Joel Kooistra were starting out their married life on a dairy farm. Joel Kooistra's parents had just built a freestall barn, a new concept in dairy farming, giving the cows freedom normally reserved for the pasture. Cows could walk around, lie down or get a drink. When Linnea was a child, dairy farmers liked to operate near a creek for sustenance for their herds. When it rained, manure would run off the pasture into the creek. "My dad always said the smell of manure is the smell of money," she says.

Since those days back in the 1970s, water quality and farming have seen improvements. "Especially in our streams," says Greg Good, manager of the surface water section in the Bureau of Water at the IEPA. Now, the percentage of Illinois streams having good water quality has increased to 63 percent, he says. Most

of the improvement is because of vigilance over point-source pollution from manufacturing. “We need to make sure we keep it under control, but we also realize that point-source pollution control is not the only thing out there,” Good says.

There has been a nationwide shift of attention to other causes of pollution, particularly from farms that have historically enjoyed some freedom from environmental restrictions, says Scott Edwards, director of advocacy for Waterkeeper Alliance. “There was a real hesitancy to treat agriculture the way you treated manufacturing plants,” he says. “This has led to what you’re seeing now, massive complexity. You’ve got this tension from the agriculture industry that holds itself out as being very different. Agriculture doesn’t want to be treated like an industry.”

Numbers from the Illinois Agriculture Statistics Service best tell the story of how farming in Illinois has changed. While the farm acreage in Illinois has only dropped from 29.5 million to 26.7 million acres from 1970 to 2007, the number of farms took a free fall from 128,000 to 75,800 during that time. The number of livestock also dropped — from 6.3 million hogs in 1970 to 4.35 million in 2009, and 3.3 million cattle in 1970 to 1.2 million in 2009, according to inventory figures. Meanwhile, the number of big hog operations grew. In 1993, there were 70 farms with 5,000 or more hogs; in 2007, 210 farms had those big numbers. Those statistics bear out the phenomena that fewer farmers are growing the food for our country and that farming has become more sophisticated and efficient.

The Goulds, for instance, joined a local farming network and began specializing in the birthing of piglets. Two other farms oversee the hogs until they reach market weight at about six months of age. “It’s all consumer-driven,” Eldon Gould explains. “The meat packer wants a semi-load of hogs of the same genetics because the consumer wants a package of pork chops of consistent quality and size.” To regularly fill a semi with full-grown hogs, Gould would have to greatly increase his 300-sow operation. He saw specialization as a better option.

Gould’s farm also has become more sophisticated. Manure is collected under the hog barns through slats in the floor. For a penny a gallon, it’s pumped out

twice a year by a contractor who uses a machine with a rake-like claw that literally injects the manure into soil where Gould raises corn, soybeans and winter wheat. But before that happens, Gould has the manure and his fields tested for levels of nutrients so that he knows what he’s applying to his fields, how to supplement with fertilizer and exactly what to put down on each acre. It is the best way to maximize crops and keep neighbors happy. The injected manure eliminates odor and runoff.

The Kooistras’ 200-head dairy also uses manure as a money-saving alternative to expensive fertilizers. These days, most farmers operate in the same way or they lose money, the farmers say.

Although neither farm is big enough to qualify as a large concentrated animal feeding operation (1,000 hogs bigger than 55 lbs. or 1,000 cattle), both families say larger businesses would run the same and be subject to more regulations. Regardless, farmers’ best interests lie in taking care of the environment, not only because it makes them more profitable, but because 98 percent of farms are owned by individuals or families, according to the American Farm Bureau.

“I was raised on a farm, as were my parents and grandparents,” Linnea Kooistra says. “We live here, and we breathe the air and drink the water. We want it good for the next generation. It’s in our blood.”

Both the technological improvements and sentiments are common among Illinois farmers, says Jim Fraley, livestock program director for the Illinois Farm Bureau. Some use methane digesters to turn manure into electricity. Leftover waste fertilizes crops. “In the past, farmers would pitch manure into a spreader and would apply it to the field closest to the barn. Now it is seen as a resource,” Fraley says. Farmers with more manure than they can use sell it to neighboring crop farmers.

While that sounds green, environmental groups such as Illinois Citizens for Clean Air and Water (ICCAW), Environment Illinois, Prairie Rivers Network and Helping Others Maintain Environmental Standards (HOMES) are skeptical. They view large concentrated animal feeding operations not as farms but as manufacturing plants and say they should be treated as such. The groups have a number of con-



cerns, such as the IEPA’s ability to monitor farms, laws in Illinois and discharge permits for the animal operations. For starters, the IEPA does not have a complete database of livestock operations, although it is working on one. Richard Breckenridge, IEPA agriculture and rural affairs adviser, estimates there are about 27,000 farms with some livestock and about 400 large CAFOs in Illinois. The IEPA knows where 20,000 of them are. Of those, the IEPA surveyed 124 in 2009. And of those, 59, or 48 percent, had one or more regulatory violations. Eight were referred to the attorney general’s office for a significant environmental issue such as a fish kill.

A lack of confidence in the IEPA led the Illinois Citizens for Clean Air and Water to petition the federal EPA to look into Illinois practices, which in turn, led to the admonishment of the IEPA last fall to better oversee large livestock farms or risk losing its enforcement authority. “[Illinois’] failure to regulate this industry must have been particularly egregious to warrant this response from the EPA,” says Edwards from the Waterkeeper Alliance. “It is a rare example that the EPA has seen fit to go that far.”

In response, the IEPA promised to create and maintain a statewide inventory of CAFOs, hire more staff — for a total of nine people — to manage pollutant dis-





operations contain animal waste to farmland, and any runoff is incidental or accidental. The IEPA uses permits to require farm improvements; it's the only enforcement tool the agency has. Environmental groups want the IEPA to have the authority to issue fines, and they believe all farms should file specific nutrient management plans for handling waste. They also want large meat processing companies that often own the farmers' animals to be liable for environmental problems. "If we had the political will, we could go beyond minimal standards set by the federal EPA and solve the problem once and for all," says Danielle Diamond, an attorney for ICCAW. "If we wait for clarity on the federal level, we could be waiting for an indefinite amount of time to clean up CAFO pollution in Illinois."

At press time, a new environmental measure was awaiting the governor's signature. It allows the IEPA and any violator of the Environmental Protection Act, Pollution Control Board rules or permit conditions to voluntarily enter a compliance commitment agreement. Violations of that agreement would be subject to a \$2,000 penalty. A bill to require fees for farmers who must obtain discharge permits failed but will be brought back by the IEPA in the fall.

Illinois agricultural groups were opposed to the bills because of ambiguity over the permits and farmers' long-held view that less government is better. Regulations and legalities are complex. "It's confusing and convoluting to me, and I'm neck deep in this stuff," says Jim Kaitschuk, executive director of the Illinois Pork Producers Association.

Take the case of Tradition Dairy and the purple river, a good example of regulations and processes farms face. Tradition was unpopular from the beginning, when it asked to build a dairy with 5,500 cows near Nora in 2007, even though plans call for a state-of-the-art facility that includes a methane digester. The farm is designed to produce all of its own power and to sell some back to the grid, Tradition attorney Manning says. Fierce public outcry against it included a vote not to recommend siting approval by the Jo Daviess County Board. Still, the dairy received a permit and was subject to the Illinois Livestock Management Facilities Act, created in 1996 to better regulate waste handling through

setbacks from other properties and waste management plans for larger farms.

Opponents such as Matthew Alschuler, press agent for HOMES, say the dairy will reduce the area's quality of life. He wasn't surprised by the pollution, which triggered a visit from the IEPA, a referral to the Illinois attorney general's office and a five-count complaint filed with the Pollution Control Board. The case is pending.

Despite the setbacks, the farm still plans to open. "The intent here isn't to do any harm," Manning says. "Change makes people nervous and afraid. They shouldn't be about this. Our goal is to get this thing up and running, be a good neighbor and, hopefully, everyone can live happily ever after."

Illinois laws do a good job protecting the environment and should be enforced, agriculture groups such as the Illinois Farm Bureau and Illinois Pork Producers Association say. "The stick is there," says Kaitschuk of the pork producers' association. "It's not as though these folks are attempting to damage the environment. It doesn't make sense for them to willfully produce pollution."

Part of the problem also may be a public relations issue. Because there are fewer farmers, fewer people understand their practices. "We haven't done a good job educating people today about what we are or telling people what we do," Kaitschuk says. Both the Gould and Kooistra families are part of a growing national movement to educate the public. Sandy Gould reads farm stories to schoolchildren and donates hogs to Chicago's Lincoln Park Zoo, while Kooistra gives farm tours to children and educators.

On a higher level, the disagreement may simply be over how America grows its food. "Bigger is not better," Alschuler says. "We need more farmers, not more animals. More farmers help rural communities and take care of the land that they then pass on to their children." But Eldon Gould works with his son and views himself as a family hog farmer making a choice to specialize as required by changes in the business of farming. "We have the best farmers in the world," he says. "We can produce food for less of your expendable income than any country in the world." □

*Kristy Kennedy is a Naperville-based freelance writer.*

charge permit applications and inspections, communicate better with the public on complaints and seek authority to fine facilities that don't comply with environmental guidelines. The IEPA is acting swiftly, Breckenridge says. As of June 1, the agency submitted a revamped discharge permit to the Illinois Pollution Control Board for approval, pledged to complete 24 discharge permits, inspected 35 livestock operations and was working to shore up its list of farms in Illinois. Because the IEPA doesn't have the authority to require farms to register with the agency, it resorts to tactics such as looking at aerial maps for features distinctive to animal farms.

Environmentalists appreciate those measures but also want Illinois to adopt stricter environmental laws such as those in Michigan and Minnesota. At issue is the federal discharge permit, which strengthened CAFO regulations in 2003. It has faced court challenges by environmental and agriculture groups, muddying enforcement in Illinois. At one time, the federal permit was required for anyone with the potential to discharge pollution, but a recent court ruling found permits can only be issued to facilities that actually discharge.

Environmentalists argue that all farms expel pollution and should have a permit. On the flip side, farmers argue that CAFO

# Parenting crisis

An author spells out risks of raising children in a contaminated world

by Beverley Scobell

A recent letter writer to the editor of the *State Journal-Register* in Springfield complained about buffalo gnats, which are flies, really, and are very annoying. A no-see-um that, like the mosquito, draws blood from animals, including human animals, and leaves a welt that itches for days. Not many, if any, of the chemical compounds we lather on ourselves and smoke our yards with seem to work on these persistent bugs. Thankfully, their food fest doesn't last long. But what I found interesting in the letter, most of which I agreed with, was an interjection in the mention of these irritating creatures' life cycle, which includes, the letter writer said, breeding in water — clean water. "Thank you, tree huggers," the writer added with a definite sarcastic tone. Somehow, sharing a common annoyance became an indictment of environmentalists, with the implication that passing the Clean Water Act of 1972 led us to this misery.

Perhaps. But, isn't that one of the best pieces of legislation ever passed? That and the Clean Air Act? Air and water are nonpartisan. At the time of their passage, streams were choked with phosphates that formed foam caps more than a foot high. And those were just the visible manifestations of the chemical concoction poured into our water supply. Many streams were devoid of life, or nearly so. Some rivers were so polluted they literally caught fire. And smog, though still a problem in some places, is nothing compared with the blankets that smothered cities in the 1970s. So, like the civil rights movement, the feminist movement and the anti-war movement, activists in the environmental movement sought a better future for their children — indeed, all children — by working for clean air and water.

Other victories led to healthier children. When the numbers of children with "mental retardation" increased and scientific studies showed what lead does to growing brains, Congress mandated that the heavy metal be removed from products such as paint and gasoline. The federal and state environmental protection agencies keep watch and regulate companies, municipalities, farmers and other entities tempted to take the easy, and cheap, way out by dumping pollutants into our common air and water.

So, we're good to go, right? Fought the battles, won the war, keeping watch. Parents of young children and young people who

would be parents should feel safe. However, ecologist Sandra Steingraber would have us take another look at environmental challenges still facing us; some readers might argue that a burning river pales in comparison.

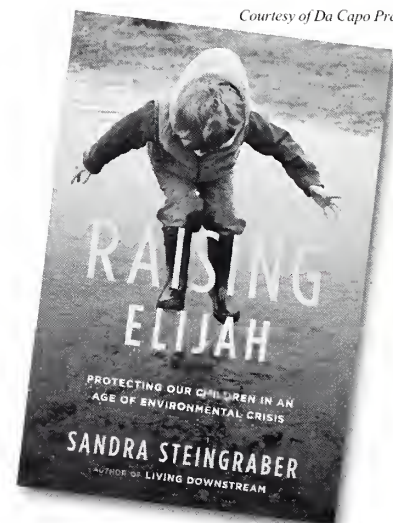
"Ultimately," she says, "the environmental crisis is a parenting crisis."

Steingraber's newest book, her third looking at the chemical soup our children eat, drink and breathe, is *Raising Elijah: Protecting Our Children in an Age of Environmental Crisis* (Da Capo Press, 2011).

Protecting our children does take a village. No matter personal ideology, unless raising a child isolated on a remote mountaintop or in a deserted canyon, parents rely on family, teachers, ministers, neighbors, librarians, babysitters, merchants and friends within their chosen arena to help out with the rearing. It is therefore up to the larger community, whether a town or a country, to make public policy to protect children's growth into adulthood. However, Steingraber makes the point that policymakers have to first recognize that children are not just miniature adults.

"The reason that the experts keep harping on the myriad ways in which children are different is not to surprise members of the public but to highlight the ways in which our environmental policies pretend that children — who make up 40 percent of the world's population — do not exist. Entire regulatory systems are premised on the assumption that all members of the population basically act, biologically, like middle-aged men. The laws and rules so generated by those systems are thus blinded to the unique characteristics of children that should be obvious to everyone."

Children, for example, breathe more through their mouths and put more things in their mouths than adults, an average of 9.5 times per hour, Steingraber says. That's important when breathing in polyvinylchloride molecules flaking off myriad consumer products and eating snacks while playing on arsenic-treated wood used for playground equipment. She details what arsenic does to the human body, and particularly to growing human bodies, but it's enough to say that arsenic is a poison, and it doesn't belong anywhere around children, not even, as she says, in the same sentence.



Author Sandra Steingraber's most recent book is *Raising Elijah: Protecting Our Children in an Age of Environmental Crisis*.





**Sandra Steingraber**

Like the pressure-treated wood embalmed with chromated copper arsenate (CCA), polyvinyl/chloride (PVC) enjoys close contact with children. In a meter befitting a published poet, which she is, Steingraber ticks off PVC-laden consumer products aimed at children: Kitchen floors. Raincoats. Lunch boxes. Shower curtains. Art supplies. Backpacks. Wallpaper. Toys. Shoes. “And,

like CCA wood, PVC sheds its ingredients onto and into the bodies of children. For CCA, the dislodgable transgressor is arsenic itself. For PVC plastic, it’s DEHP, the oily phthalate plasticizer that’s used to make vinyl flexible and prevent it from cracking.”

Phthalates are “a footloose group of synthetic chemicals that easily migrate into indoor air, house dust and food.” The Centers for Disease Control and Prevention report that virtually all Americans have phthalates in their blood, but children have higher levels than adults. Phthalates are hormone disruptors and have been linked to child asthma. They are associated with earlier birth in pregnant women, impaired genital development in boys and earlier puberty in girls. Pediatric studies link phthalates to respiratory distress and wheezing.

And, Steingraber says, as with arsenic-treated wood, there is no good way to get rid of vinyl. “CCA wood is lethal when burned, a threat to groundwater when landfilled and poisonous to the recycling stream. Ditto PVC.”

These Frankenstein chemicals seem like such a good idea when public policy OKs their entry into the environment. But when no longer controllable, they become a creation turned killer, and there is often no good way to go back. Steingraber says only 200 of the more than 80,000 synthetic chemicals used in the United States have been tested under the Toxic Substances Control Act of 1976, and exactly none of them are regulated on the basis of their potential to affect infant or child development. “Our chemical regulatory system has essentially ground to a halt.”

One part of the problem, she says, is that regulations are locked in an old “Reference Man mentality,” which bases toxicity limits on laboratory methods projected toward the “average” person. “Until 1990, for example, the reference dose for radiation exposure was based on a hypothetical 5’ 7” tall white man who weighed 157 pounds.” Steingraber says the chemical regulatory system is “unresponsive to the development of new chemicals and emerging evidence about previously unknown types of danger, such as cumulative impacts and the additive effects of chemical mixtures. It’s as though the government were choosing to ignore electronic identity theft because our laws about fraud predate the invention of the Internet.”

The government, Congress, is also slow to act on climate legislation that would regulate heat-trapping gases that the EPA — in 2009 — declared are a threat to human health. As the mother of an asthma sufferer — her son Elijah — Steingraber is sensitive to air pollutants. “Lungs exist at a place where two environmental crises meet,” namely toxic pollutants derived from coal, gas and petroleum and global climate change from heat-trapping gases in the atmosphere. “Climate change is an asthma trigger,” she says.

Higher global temperatures, she notes, accelerate the creation of toxic lung pollutants, such as ozone, nitrogen dioxide, particles and carcinogens. And, she adds, they accelerate the evaporation of liquid pollutants, such as gasoline. “By raising the heat, you raise the air’s toxicity. Higher temperatures also increase levels of pollen, dust mites and fungal spores.”

Asthma statistics are sobering: The chronic lung disease affects 7.1 million children and kills 600 each year; it accounts for 14.4 million lost days of school every school year; and, it costs \$20.7 billion annually. It’s the No. 1 chronic childhood disease; it’s a leading cause of school absenteeism; and, it’s the No. 1 cause of child hospitalization and visits to emergency rooms.

“No one argues with the fact that fossil fuels will continue to be dug out of the ground and burned as long as they are the cheapest form of energy and nobody has to pay for using the atmosphere as a dump site,” she writes.

*Raising Elijah* is filled with many sobering facts and statistics. There is much more on endocrine disruptors that affect children’s sexuality, depletion of ozone and ocean plankton, effects of mercury and coal burning on intelligence and real dangers in trying to squeeze more fossil fuels out of the ground. Yet, the author weaves that daunting knowledge with personal stories of her own family’s challenges in raising children and their efforts to be kind to the Earth while avoiding as many pollutants as possible. The chapter titles offer clues to the dual nature of their stories: *The Grocery List (and the Ozone Hole)*; *Homework (and Frontiers in Neurotoxicology)*; and *Bicycles on Main Street (and High Volume Slickwater Hydraulic Fracturing)*, to name just three. The science is often detailed and scary in a how-did-I-not-know-that way, but it is presented in language nonscientists can understand. Anyone who’s raised a child — or been a child — can appreciate the stories of busy parents just trying to make it through a day. And in the context of an insalubrious message, the juxtaposition of the threads of everyday life work as a spoonful of sugar.

As someone who raised two daughters five miles downwind of a plant that made polyvinylchloride for what Steingraber estimates was one-third of all vinyl floors in the country, including mine, I hold my breath hoping that the girls remain healthy, especially as they enter motherhood and child rearing. They were in graduate school when the Formosa Plastic Corp.’s plant blew up, killing five workers and causing a whole-town evacuation, but they had breathed in the plant’s exhaust while growing up. And the town’s water system, left over from the World War II ordnance plant, was pumped from its deep well by the chemical formulator. Should we have asked more questions before choosing our house? Certainly. But had we, Formosa was Borden’s at the time. Elsie the cow. Elmer’s glue. PVC? What’s that?

Steingraber gives me some comfort.

“It’s not that we’re not paying attention to the environmental threats surrounding our children, it’s just that the web of causation and responsibility is so complicated that we don’t know how to navigate it or where to focus our actions. Or it becomes navigable only in hindsight after the damage is done.”

Despite potential dangers we see in 20-20 hindsight with four decades of scientific evidence to rely on, our village was a snug, safe place to prepare our children to go out into the world, which both now explore as ecologists themselves. □



# Smart grid

This new technology is essentially about communication

by Jamey Dunn

**I**llinois' outdated electrical grid needs extensive work as power demands grow. The state needs all the bells and whistles of new technologies that could make power more reliable and help to cut down on energy usage. And above all, it needs to move forward with the upgrades quickly to avoid eating the dust of other states making such improvements.

So say those backing legislation recently approved by the General Assembly that would allow the state's two biggest utility companies to raise customers' rates so they can invest billions in the grid.

"Relying on an electrical grid that was created over 100 years ago doesn't make a lot of sense in today's technological world. People are demanding more and more use of energy, and also, people on the green side are demanding smart energy," says East Moline Democratic Sen. Mike Jacobs, who sponsored the measure. "If we don't take care of what we need to take care of, what we're going to find is that Illinois will no longer be a leader."

Whether the needs are as urgent as those pushing the plan claim depends on whom you talk to. However, there is one thing those supporting and opposing that specific proposal to improve the grid do agree upon: Illinois' grid needs to be "smarter."

But what does that mean? "Smart grid" has become a buzzword of sorts in recent years. How does an electrical

system become smarter, and what is the impact for consumers? "Smart grid has become this catchall term for anything and everything, and lots of people use it to mean many different things," says Jonathan Feipel, deputy director of the bureau of energy and recycling at the Illinois Department of Commerce and Economic Opportunity.

Feipel says the definition of such terms has become slippery in recent years, since conservation has become more in vogue. He compared it to a marketing practice known as "green washing" that gives consumers the impression that a product is eco-friendly when it is really not. But when it comes to terms such as "green jobs" and smart grid, government officials have to find ways to define them to determine if they are reaching their objectives. "When you say green, what does that even mean?" Feipel asks.

A 2009 report titled *Empowering Consumers Through a Modern Electric Grid* from the Illinois Smart Grid Initiative says, "The smart grid concept, as defined by Congress and the many others who have worked to develop it, combines new information technologies with the traditional electric power infrastructure to improve utility operations and to extend greater control to customers."

Feipel says the simplest way to define smart grid is the incorporation of computer technology into the grid system. "The key is, what does that computer do?"

Smart grid is essentially about communication, both allowing the grid to "tell" the utility more about the transmission of electricity and when there may be a problem with the system, as well as bringing consumers more information about their power consumption.

For example, at present, when a storm knocks over a tree that pulls some power lines down with it, utilities have no idea that it has happened until customers call. "Really, they're at the mercy of people telling them what the issue is," Feipel says.

Anyone who has called a utility company after a particularly heavy storm knows it can mean a long wait on hold to report an outage. New smart technologies could change all that. Sensors in the system would be able to alert the utility via a broadband network when lines are down or power is out in a certain area. Such information, Feipel says, "allows the utility to very quickly and — here's where the term smart comes in — intelligently respond."

There is even the potential for the grid to preempt a problem such as a blackout by alerting utility employees when the potential for one is high and giving them the chance to intervene. "It doesn't mean a tree won't fall on a line. We're still going to have outages," Feipel says. But with new technologies, "in all cases, they should be minimized and identified and restored quicker."

One of the key components to such an upgrade is smart meters. Those devices



would allow customers to track their power usage. If customers chose to buy their power at real-time market rates — hourly rates that are determined by average usage — they could incur savings by opting to use less juice at peak demand times, when electricity costs much more. “As we speak today, and it’s 95 degrees out, the price of electricity is about 10 times higher today than it was two weeks ago ... in off-peak hours,” Martin Cohen, an energy policy consultant with Martin Roth Cohen and Associates, told *Illinois Issues* on a hot June afternoon.

Commonwealth Edison is administering a smart meter pilot project in the Chicago area, and Rep. Dave Winters, a Republican from Shirland, is one of the participants. “My own household is paying by the hour whatever Commonwealth Edison is paying for the power. So if I chose to use my power at nighttime or a time when power is cheap, we’re saving over, I think, 15 percent on an average monthly bill.”

Being aware of consumption may also change behavior. Much like counting calories can sometimes cause people to make healthier food choices, seeing in black-and-white terms how much power you are using may inspire you to use a little less and maybe turn off some lights. If a smart meter continues to show that a household’s old fridge is sucking a lot of power, the family may eventually decide to buy a more efficient appliance.

Other potential savings through efficiency may not be as obvious to customers. Smart meters can be read remotely, so they have the potential to all but eliminate estimated bills that utilities send out when bad weather or other obstacles prevent utility workers from getting to a meter to read it. Anne Pramaggiore, president of Commonwealth Edison, says that her company sends out millions of estimated bills at times when it is most difficult for meter readers, such as during winter storms.

“As we install automated devices on the grid, that will help control voltage. Customers will be paying less for electricity because there will be less electricity flowing through the grid, and it will still meet their energy needs,” says Craig Nelson, senior vice president of

regulatory affairs and financial services for Ameren, which powers much of downstate Illinois.

Cohen, a former director of the Citizens Utility Board, a consumer advocacy group, explains that to keep power levels at an optimum voltage, utilities usually set the voltage a little high. But with more accurate information, they could save voltage — and money.

“When the system is more efficient, customers save money. The question, of course, is compared to what?” Cohen says. “One crucial policy objective should be to make sure that the benefits for the consumers who are paying for it exceed the costs.”

John Rowe, chairman and chief operating officer of Exelon, ComEd’s parent company, voiced skepticism about the cost benefits of smart grid for customers when he spoke at the American Enterprise Institute for Public Policy Research earlier this year. He said utilities are hesitant to make large investments in smart grid technologies without government subsidies. “Smart grid, we’re reluctant to embrace because it costs too much, and we’re not sure what good it will do,” Rowe said. “We have looked at most of the elements of smart grid for 20 years. And we have never been able to come up with estimates that make it pay.”

Rowe said upgrades would help with storm recovery and keeping customers informed. “We don’t know how much effect it will have on demand and energy use, which is the prime driver behind it.” He said pilot programs such as ComEd’s in Illinois are the best way to test whether the technologies will truly produce savings and reduce energy demands. ComEd expects final reports from its program in the fall.

Both Cohen and Feipel envision a future where customers could easily control their power consumption remotely with a smart phone application, kicking off their air-conditioning or shutting off lights, or even presetting such things to happen during peak consumption. “All of this movement toward energy management by consumers, and all the benefits that may have in the long run, will not happen unless it can be done very easily. Nobody is going to spend their time

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***Much like counting calories can sometimes cause people to make healthier food choices, seeing in black-and-white terms how much power you are using may inspire you to use a little less and maybe turn off some lights.***

worrying about all the details of when to do their laundry or what lights should be on when or whether the water heater should be up full or only on warm. ... It’s got to be painless and easy and set it and forget it. And the technologies, I think, will be there to make it that eventually, although it isn’t right now,” Cohen says.

According to Rowe: “The real issue is, are we doing the customers more good by putting money into more advanced electronics? Or would we do them more good by putting the same money into replacing more old cable? To me that’s an unknown answer. If I had to choose, I’d bet on the cable.”

Some experts say smart grid technologies could help slow the need to expand the grid and could direct future expansion in more efficient ways to areas that need it most. Feipel says a potential reduction in demand that could come with smart meters, coupled with much more efficient and targeted transmission of power, including lower voltage levels, would let utilities meet the same needs with less power and “help us stave off the need for enormous transmission grid upgrades.”

Mike Abba, project manager for Ameren Illinois’ smart grid technologies, says the increased information that a smart grid would bring would allow utilities to have a more detailed picture of where demand is highest or where it



is growing rapidly, so they could better target what parts of the grid might need work or expansion. "Putting in more sensors and getting better data, we can more efficiently plan the system — where it needs to grow and where we need to build out."

The decisions being made about the grid now could have a large impact on where the state gets its power in the future. "The grid we have is old [and] needs vast improvements in the tens of billions of dollars. We're talking lots of money," says David Kraft, director of the Chicago-based Nuclear Energy Information Service, an organization that advocates for an end to nuclear power. "The type of grid we choose now is going to set the playing field for energy choices for generations."

Kraft says the state should ramp up the amount of renewable energy that utilities must purchase under the Illinois Renewable Electricity Standard, which currently requires that by 2025, renewables must represent 25 percent of purchased power. He says such a move "would push the infrastructure to match the power source."

New technology opens up the possibility for more homeowners and businesses to generate power through renewable means, such as solar, wind and geothermal, and sell what they don't use back into the grid for use by other consumers in their area. That happens in a rudimen-

tary way now, through a process known as net metering — basically, a two-way meter that allows unused power to flow back into the grid.

There is potential for such pockets of consumer-generated energy to become a default system that would step in when utilities experience blackouts. Customers who lost power would automatically be rerouted to those sources. Abba says the only way to do that would be for utilities to know precisely how much demand there was and exactly what these secondary sources could provide, information that could be gathered by smart grid sensors. Other separate issues, such as storage of such energy, would also need to be addressed.

Cohen says there is a possible upside to Illinois taking a measured approach to unrolling smart grid technology. "This is not a footrace between states to see who can get there first. In fact, there's some advantage to not going first. ... Some of the early installations are already showing themselves to be obsolete."

Cohen, who was the facilitator of Illinois Statewide Smart Grid Collaborative, a stakeholder group established by the Illinois Commerce Commission in 2008 to probe the potential for smart grid in the state, says a smart grid plan should be handled in a collaborative way that recognizes the interests of utilities, consumers and environmental groups. "The winners and losers are hard to

predict; I think, overall, there's a lot to be won. There's a lot of benefit. ... But there are also people who stand to be hurt, depending on what policies are put in place." He says regulators and policymakers should be conscious of the potential social implications of the technologies. "The policy questions are more important in the long run than the technology questions."

Some consumers need power during peak hours and cannot do much to adjust their usage for savings. If they pay the market rate during those hours, they could end up paying higher prices. "My 87-year-old mom at home today needs to have her air conditioner on," Cohen says. That issue could be addressed by offering customers a variety of rate options.

Smart meters would allow utilities to remotely turn power on and off. That would be useful for new tenants who want their power turned on quickly or people moving who want to ensure they will not pay for power once they have vacated a residence. However, Cohen says, "if you're going to be disconnected for nonpayment ... you probably wouldn't consider that a benefit. ... Right now, there are a lot of people who are not disconnected because ComEd and Ameren do not have the personnel to do so."

Another potential scenario Cohen paints involves customers with low credit ratings using different payment methods. "You get credit automatically. Everybody gets credit from the utility companies." But smart grid could enable pay-as-you go electricity that those with bad credit might buy to avoid paying large deposits to have their power turned on. In that case, once the money ran out, the juice would be likely cut off. "It raises core public policy issues about equal access to a core service to all customers."

Cohen says smart grid has the potential to provide volumes of accurate information about the transmission and consumption of power in the state. He says the questions that consumers and policymakers should be asking are: "What do we want to do with all that information? How are we going to use it? And who is going to use it and for what purpose?" □







# Farmers markets

As the popularity of outdoor food stands rises,  
Illinois lawmakers try to keep pace

story and photographs by Lauren N. Johnson

The 33-year-old Market at the Square in Urbana is the largest and most frequented farmers market in Illinois, where at least 170 vendors register each market season — starting in May until the first week of November — to sell their home-made and homegrown food products. “We average about 7,000 visitors each weekend,” says Lisa Bralts, economic development specialist/market director for the city of Urbana, the municipality that controls the market.

With the popularity of locally and organically grown foods on the rise, farmers markets throughout the state are seeing a surge in vendors, but market managers say inconsistent regulations among counties in the state hurt growth.

Although the Saturday-only Market at the Square is controlled by the city, the

local health department imposes federal, state and local regulations. Bralts, who manages the market, says over-regulation forces farmers who cannot meet the standards to leave the market, resulting in a loss of business.

Health guidelines for markets were first set by the Illinois Department of Public Health in 1999, when the department created a list of general practices for the 95 local health departments in the state to regulate farmers markets and food events. Each locality must stay within the guidelines but, if needed, can add its own restrictions and rules to the present list. That has created a patchwork of regulations that varies from location to location. Over the years, confusion grew between market managers and health departments, so in 2010, the department released a

revised set of guidelines to update the system.

Pat Stieren, coordinator for the Illinois Farmers Market Network, a statewide advocacy group of market managers and small farmers, says the regulations for markets were updated as result of the thriving local food industry. “In the past 10 years, farmers markets have blossomed and grown across the country and the state, and we’re now at almost 300, but it’s a moving target because markets start and stop on a given day.” But even under the updated guidelines, practices vary widely from county to county.

Farmers and managers do not always see regulation as bad. Some rules can help their markets stay true to the locally grown foods ethos that their customers may demand. Some consumers seek foods





grown close to home to support the local economy. They become more connected to the resident food culture and cut down on fossil fuel emissions created when foods are trucked to stores. Consumers may assume that food at a farmers market is grown locally or organically, when in fact, there is no guarantee that it is. The best way for a local farmers market to ensure standards for its customers is to set its own rules.

Geneva Green Market, a community-based farmers market, restricts its sales to food that is locally grown — within a 200-mile radius of Geneva in Kane County — and modestly processed. The market, which offers fresh vegetables, cheese and frozen beef beginning at 7 a.m. on Thursdays, opened for the summer on June 2. Restrictions by markets such as the one in Geneva allow communities to shape markets that reflect their desires and values and let customers be relatively sure they are getting what they pay for.

One rule that some see as overly restrictive is the requirement that small-time bakers and food preparers who often sell at markets must make their jams, jellies, cakes, cupcakes and sweets in an inspected commercial kitchen, rather than their kitchens at home. According to IDPH rules, uncut fresh produce, such as vegeta-

bles and fruits, are unregulated as long as they are not processed, but milk, cheeses and hot food or items prepared in what market managers call the “open air” are heavily regulated.

Under current law, individuals can only prepare baked foods in an inspected commercial kitchen, which can cost up to \$1,600 a month to rent. Most vendors rent from shared-use kitchens, yet prices for kitchens vary throughout the state. In the Metro East area, prices start at \$900 each month for production of baked goods. Kitchen Chicago charges by the hour and square feet of the space — \$17 per hour for up to 60 hours of use.

**Senate Bill 840**, which passed both the House and Senate during the spring legislative session, would allow local farmers and entrepreneurs, who must obtain a certificate verifying compliance with state food sanitation rules, to sell baked goods made in their home kitchens at nearby farmers markets. The bill, sponsored by Democratic Sen. David Koehler of Peoria and Democratic Rep. Lisa Dugan of Bradley, would also require all products to have labels listing ingredients and warning consumers that the item was homemade and not inspected by the state or local food safety agency. Farmers would also have to register their products, such as cheese and milk, with the local health department. As of press time, Gov. Pat Quinn had not acted on the bill.

“We offer baked goods, prepared foods, other farm-raised foods like meat, cheese and eggs. We also have many artists who show their work at our market. We also have performances as well. ... So it’s big and busy,” Bralts says of the Champaign market. However, varied regulations heavily restrict what local farmers can produce and sell at weekly markets and, in some cases, can cause a rift between a farmer and his or her local health department, an issue that farmers usually want to avoid.

“The local [health] department does hold a high hand over farmers markets,” Bralts says. “For regulations to change or become tighter or less strict is kind of unpredictable.” She says complaints from the health department can range from inadequate hand-washing to a ban on selling baked goods.

In some cases, as markets have grown, local departments have begun enforcing rules that have long been on the books but never used. That happened at the Market on the Square, when the Champaign-Urbana Public Health District enforced a rule that banned vendors from selling baked goods without a permit.

“Most people understand that you need a permit. The issue here was with baked goods and a regulation which was never enforced until 2009,” says Bralts, noting that the department wanted more clarification on baked goods sales. However, it chose to enforce the new rule two weeks before the opening of the market that year. Bralts says she thinks a balance that everyone can live with will eventually be struck. “People have become more interested in food that’s from where they’re from. I think over time, we will have to come to some agreement that what’s being enforced is safe but also reasonable.”

Jim Roberts, director of environmental health for the Champaign-Urbana Public Health District, says the issue of various interpretation by local health departments most likely stemmed from inconsistencies throughout varied localities. He said that in his jurisdiction, however, there is a strong effort to enforce like regulations for vendors who serve and sell prepared foods at the six markets or more they serve. “What we try to do locally is try to be consistent and eliminate any variation by our inspectors. ... We try to be consistent and standardized within ourselves at a local level.”

Local food advocates say providing training and education for local farmers, attracting customers with the means to purchase local foods and having up-to-date, consistent regulations are top priorities.

Wes King, policy coordinator at the Illinois Stewardship Alliance, says the local foods industry is “up and coming” and that 10 years ago, it would have been more difficult for a locality to open up a farmers market. “Over the last five years,



it really started to explode. More consumers are becoming knowledgeable and interested in where their food comes from, what are the farming practices that go into that production, how far is it traveling, are the farmers who are producing it getting a fair return for their work,” King says.

Bralts agrees. “[Farmers markets] are places where you can get things you cannot get during the week, and that is something that the consumers don’t want to go away. Part of a farmers market is finding those jewels that aren’t out there at any other regular time.”

Generally, 95 percent of organic food sold in Illinois is grown and processed outside the state, which results in dollars placed elsewhere, according to the Illinois Department of Agriculture. In addition, foods consumed in the state travel an average distance of 1,500 miles from farm to consumer. “If you’re shipping tomatoes from California, you’ve got to pick them when they are not ripe, and they ripen in the process of shipping. Those tomatoes aren’t going to have a better nutrient quality than the tomato that was let ripen on the vine and was picked the day before it was brought to the farmers market,” King says.

Currently, there are more than 283 farmers markets in Illinois — up from 97 markets in 1994 — half of which are located in Chicago and Cook County. Nationally, farmers markets have grown from 1,755 in 1994 to more than 6,100 in 2010, according to the U.S. Department of Agriculture. The department named Illinois as the third-largest state — behind California and New York — for the number of farmers markets in 2010.

“For those of us who are battling the time crunch and those for whom access to fresh food is an issue in our neighborhoods, farmer markets are a really important valuable resource that we have to support,” First Lady Michelle Obama said at the opening of the FreshFarm Market in Washington, D.C., in September 2009. “I’ve got these two beautiful girls, and before we lived in this beautiful house down the street, we lived on the south side of Chicago. And like most parents, I was a working mother trying to put it all together, and I gradually learned that the food that I put on my table truly affects the health of my children in some fundamental ways.”

King points to the poor economy as a reason why people are more conscious of how and where they spend their money. “There’s also a realization that we should be keeping the money we spend on food in our local economies, in our local communities, circulating here to promote local development here in Illinois,” says King, who adds that local foods have stirred up issues involving economics, public health, agriculture and policy.

Republican state Rep. Chad Hays of Catlin this year introduced **House Joint Resolution 19**, formerly **House Resolution 25**, which would create a 14-member task force to review current laws, as well as define which products and practices are and are not permitted at farmers markets and other outdoor food events. Hays says the bill would help mitigate confusion by setting up a task force to recommend ways to provide consistent guidelines for farmers markets. “My purpose is to have a task force to look at rules that are agreeable. ... Health departments have different interpretations of what these organizations can sell out of their own products.”

Stieren says: “Most legislators all get it. They all support local foods,” but legislative resolutions that call for changes to the industry have not gone as far as market managers and farmers want because agencies fail to implement them. Her group supported **Senate Bill 1852**, sponsored by Sen. David Luechtefeld, an Okawville Republican, and Rep. Mike Bost, a Murphysboro Republican. It addresses the problem of inconsistent regulations by setting up a task force that calls for involvement by industry stakeholders. The bill, which passed in both chambers, would go further to create a

task force of at least 24 members, including farmers and market managers. Stieren says she supports a law calling for a task force over a resolution, which does not carry as much legal weight. Hays’ resolution doesn’t specifically call for the inclusion of farmers and market managers. “The task force [in **SB 1852**] would be made up of farmers-market-managers and farmers and representatives of public health associations that all have a vested interest in making sure that food safety is No. 1 but also that we do not hurt small entrepreneurs,” says Stieren.

Excluding Illinois, seven states — Indiana, Iowa, Kentucky, Michigan, Minnesota, Ohio and Wisconsin — have “cottage food” laws addressing the sale of baked goods at farmers markets and at public food events. Ten others — Alabama, Arkansas, Maine, Maryland, Massachusetts, North Carolina, Pennsylvania, Tennessee, Utah and Virginia — have laws allowing potentially nonhazardous baked goods, jams, jellies and fruit butters that are made in home kitchens to be sold at farmers markets.

Toward the end of their spring session, lawmakers weighed bills aimed to reform often misinterpreted regulations that negatively affect Illinois’ local foods industry. Bralts, the Urbana market director, says: “We are really interested in helping people start their own business if that’s what they want to do, and I know that some people who have started off at our market have become bigger and better businesses over time. We want to continue to be able to do that, and I think consistent and appropriate regulations across the state of Illinois will help us do that.” □





## PEOPLE

### Quinn taps former CPS board president to chair ISBE

Gery Chico, former president of the Chicago Public Schools board and a former candidate for Chicago mayor, was named in June as chairman of the Illinois State Board of Education by Gov. Pat Quinn. Chico replaces **Jesse Ruiz**, who resigned in June to join the CPS board as vice president.

"Gery Chico's decades of experience in education and administration will help keep our schools competitive and prepare our students to succeed in the global economy," Quinn said in a prepared release. "His leadership will be vital as Illinois prepares to implement ground-breaking education reform that we hope will become the model for the entire country."

Chico also previously served as chairman of the City Colleges of Chicago board and as chief of staff to former Mayor Richard M. Daley.

According to Quinn's office, while Chico was president of the Chicago Public Schools, he "led an effort that improved student performance and teacher confidence for six consecutive years, turned a projected deficit of \$1.3 billion into a \$345 million surplus and invested money to build 65 new school facilities and renovate another 375 existing school structures."

Chico also pushed for extended school-day programs that allowed more than 125,000 students to get more time in the classroom, according to the release, and he oversaw the creation of after-school and summer programs that provided nearly 200,000 students with constructive activities to prevent youth crime.



Gery Chico



Jesse Ruiz

Education, Chico says, "is the heart and soul of the state. Absolutely, our full attention and commitment should be given to this important mission."

He has a juris doctorate from Loyola University Chicago School of Law.

Ruiz, a partner in the Chicago law firm Drinker Biddle & Reath LLP, was named to the Chicago board by Mayor Rahm Emanuel. Ruiz was also recently appointed to the U.S. Department of Education's Equity and Excellence Commission by U.S. Secretary of Education Arne Duncan. The commission is expected to study the role of school finance in providing educational opportunities and to recommend how to limit disparities in the funding of schools.

### Shifts at the top

Jay Rowell is the director of the Illinois Department of Employment Security.

Rowell had been a deputy director in the Chicago city clerk's office, where he was credited with modernizing operations and enhancing transparency by making searchable city information available online. He holds a juris doctorate from Loyola University Chicago School of Law. Rowell replaces **Maureen O'Donnell**, who now serves as director of human resources for Cook County.

**Malcolm Weems** is director of the Illinois Department of Central Management Services. Weems has served as chief of staff in the governor's Office of Management and Budget since 2009. He has also served as chief operations officer of procurement for CMS.

He holds a bachelor's degree in accounting from St. Ambrose University.

He replaces **James Sledge**, who is moving

to the Chicago Transit Authority, where he will be senior vice president/chief of administration.

**Jack Messmore**, chief deputy director of the Illinois Department of Insurance, is serving as the agency's acting director. He replaces **Michael McRaith**, who left the agency to become the first director of the Federal Insurance Office.

Messmore, who has been with the agency for 25 years, has had stints as deputy director and assistant deputy director. He has an accounting degree from Eastern Illinois University.

### Appointments

Gov. Pat Quinn appointed former state **Rep. Michael Smith** of Canton to a seat on the state's Educational Labor Relations Board. Smith, who was a chairman of the House K-12 Education Committee, must be approved by the Senate. The position pays \$93,926.

### Former mayor takes on new roles

Former Chicago Mayor **Richard M. Daley** has joined efforts at the University of Chicago and the Katten Muchin Rosenman law firm.

Daley joins the law firm July 1 in an "of counsel" role, allowing the firm to "draw on his vast knowledge, experience and relationships globally to contribute to the continued growth of the firm," the firm said in a release.

He will not do work involving the City of Chicago or any affiliated agencies, the firm stated.

Meanwhile, in May, the University of Chicago gave Daley a five-year appointment as a distinguished fellow.

Daley is expected to coordinate a guest lecture series for the university's Harris School of Public Policy Studies about major issues facing cities in the 21st century.

For updated news see the *Illinois Issues* website at  
<http://illinoisissues.uis.edu>



## Honors and awards

**May Berenbaum**, an entomology professor and department head at the University of Illinois Urbana-Champaign, received this year's Tyler Prize for Environmental Achievement, an international award to those who excel in environmental science and public leadership.

Berenbaum delivered a lecture at the Davidson Conference Center of the University of Southern California — the university that administers the Tyler Prize — and received a \$200,000 and a gold medal.

"It's just an amazing assemblage of distinguished individuals, so I was stunned to get that phone call and very honored, too," says Berenbaum, who says that she is, "so grateful" to receive the honor.

Past recipients of the Tyler Prize, first established in 1973, include biologist and Pulitzer Prize-winning author Edward O. Wilson, primatologist and animal conservationist Jane Goodall and conservation biologist Paul Ehrlich.

Berenbaum says she plans to continue her more than 30 years of research into the co-evolution and chemical interactions between plant-eating insects and

their host plants. She also has built a second career as a science communicator — someone who works to bring science to the general public. She says getting funding for environmental research, as well as finding enough experts in her field to work on pollinators, is difficult, and the cash prize will help significantly in furthering her research. "There were no strings attached," Berenbaum says.

Her work in studying how the interaction between plants and insects affects their evolution and how each are beneficial to each other has not only been recognized in Illinois but across the country. "It's a tremendous opportunity to broaden this effort beyond [the] borders of the state," she adds.

Berenbaum was the 2009 recipient of the Public Understanding of Science and Technology Award from the American Association for the Advancement of Science.

She has also led several projects aimed at engaging the public in science and the process of collecting data on environmental subjects, which she first began after noting a critical decrease in bee pollinators.

Photograph by L. Brian Stauffer,  
courtesy of the University of Illinois at Urbana-Champaign

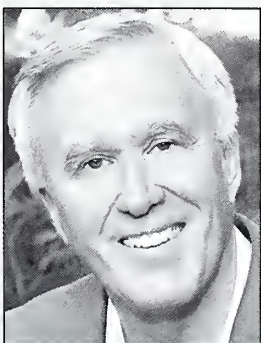


In 1984, Berenbaum founded the annual Insect Fear Film Festival, a campus event that combines Hollywood-inspired insect horror movies with basic education about the creatures portrayed in the films to spread awareness to the public on what can and cannot happen in real life. Berenbaum also founded the campus Pollinatorium, a freestanding museum dedicated to broadening the public's understanding of flowering plants and their pollinators.

*Lauren N. Johnson*

## Obits

### Mark Beaubien



The moderate Republican lawmaker from Barrington Hills died June 5. He was 68.

Beaubien, an assistant minority leader and budget negotiator for

House Republicans, died while attending a party fundraiser in Arlington Heights.

State Rep. JoAnn Osmond, an Anti-och Republican, remembers Beaubien as someone who became her "protector" after her husband, the late state Rep. Tim Osmond, died in 2002. She says: "Sometimes, I think God picks out the good ones because he doesn't make them suffer as much. He just takes them quick."

According to an obituary prepared by the Beaubien family, "some of his proudest moments included spearheading initiatives to make seatbelt enforcement a primary reason for law enforcement to stop a vehicle, voting with his convictions in support of the recent civil union bill, passing a bill that provided municipal pension reform, leading the charge to save Round Lake Schools and playing an active role in the Sportsman's Caucus and issues related to hunting and other open space issues."

Osmond says: "On social issues, Mark and I did not agree, but he had the greatest respect for my stands and I to his. We would listen to them and move on. We never argued at any point on how I felt on an issue or he felt. It was always just more or less taking and enjoying each other's viewpoints and trying to understand."

"I just enjoyed his friendship; it was truly sincere and heartfelt. He was very kind to my family," Osmond says, noting that Beaubien took her son hunting,

as her husband had. "He just tried to fill some of those gaps. He would just help my son. He just was a gracious individual."

House Republican Leader Tom Cross said in a prepared statement: "I am deeply saddened by the death of my close friend and colleague, Rep. Mark Beaubien. ... He is loved around the Capitol for his brilliance, attention to detail and ability to work with all legislators on very important issues facing our state. I will miss Mark deeply."

In a prepared statement, Gov. Pat Quinn said: "Mark Beaubien dedicated his life to service and making his community a better place. As a state representative, he served the people of the 52nd District with integrity and fortitude, and his sudden passing is a tremendous loss."

Beaubien received his bachelor's degree from Northwestern University in 1964 and his juris doctorate from the Northwestern University School of Law in 1967.





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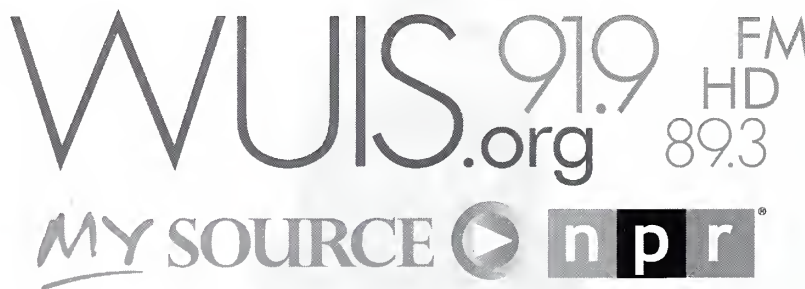
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Charles N. Wheeler III



## Bipartisan mood captures the General Assembly

by Charles N. Wheeler III

**I**s legislative productivity becoming a trend in Illinois?

Building on the impressive record compiled by the 96th General Assembly during its two-year tenure that ended in January, current lawmakers fashioned a budget based on expected revenues, significantly changed teacher tenure and evaluation rules and revamped the state's workers' compensation system — all in the first five months of the 97th General Assembly.

Along the way, the legislature also approved a measure designed to guarantee double-digit returns to the state's largest utilities for upgrading the state's electric grid and passed a major expansion of gambling in the state.

And to no one's surprise, the Democratic majorities also fashioned new congressional and legislative maps designed to strengthen party numbers in Washington and Springfield and to consign Republicans to minority status for the next decade.

Quite a track record, by anyone's reckoning, but perhaps more importantly, a record accomplished in large part through bipartisan cooperation (with the notable exception of redistricting) that's been lacking for most of this century.

Consider the budget. Under new rules enacted last session, the legislature had to decide how much money would be available in the budget year that started July 1 and hold spending within that amount.

---

***Lawmakers approved — with but a single dissenting vote — landmark education reforms.***

And for the first time in decades, rank-and-file appropriations committees actually went through Gov. Pat Quinn's proposed budget, line item by line item, to keep agency spending within the predetermined amounts.

The process wasn't perfect, of course; at this writing, a disagreement between Senate Democrats and the House about exactly how much could be spent on education and human services means more work could be done during the fall session. Important to note, however, the dispute stemmed from the Senate majority's belief that state revenues would be roughly \$1 billion more in FY 2012 than the estimate agreed to by both parties in the House — but still some \$2 billion less than the budget Quinn proposed in February.

For the last two budget years, in contrast, Democrats approved spending plans well in excess of expected revenues, eschewed line-item appropriations for lump sum authorization, and left it up to the governor to make ends meet.

Also new this spring, both chambers appropriated the full cost for state retire-

ment systems, employee health care and debt service — almost \$9 billion — before tackling outlays for ongoing programs.

While few criticized the new process, Quinn and advocates for education and human services lambasted the results as cutting too deeply into programs important to the state's future, such as early childhood education, and to its ability to help its most vulnerable citizens, including services to people with mental illnesses and developmental disabilities.

While the legislature's spending plan was crafted to match 2012 outgo to 2012 income, the budget ignored a mountain of unpaid bills from FY 2011, estimated at \$8 billion by state Comptroller Judy Baar Topinka. Quinn and Democratic leaders suggested raising cash through bond sales to pay the tens of thousands of past-due bills, but Republicans balked, arguing the state shouldn't borrow any more money. The GOP conveniently overlooked the fact that the state already has borrowed the money from social service providers, small businesses, school districts, local governments and other creditors, few of whom are in the business of making loans, instead of going to the bond markets, whose main role is loaning money.

In contrast to the budget squabbles, lawmakers approved — with but a single dissenting vote — landmark education reforms that U.S. Education Secretary Arne Duncan called "truly remarkable."



Under the legislation, signed by Quinn in mid-June, teacher performance —measured in part by student achievement — will count in deciding layoffs and job assignments, not just seniority. The product of lengthy negotiations between school administrators, teachers' unions and education reform groups, the measure also makes firing bad teachers easier, tenure tougher to get, and teacher strikes more difficult.

The workers' compensation overhaul also was a bipartisan effort, at least in the Senate, but garnered only one Republican vote in the House. Sponsors said the proposal would save Illinois companies some \$500 million to \$700 million in workers' comp costs, largely by cutting by 30 percent the fees paid to doctors and hospitals for treating injured workers. The bill also would allow employers to set up doctors' networks, set guidelines for determining the severity of an injury, limit awards for carpal tunnel syndrome and strengthen standards for the arbitrators who hear claims.

But the measure does not cover the employer community's top concern: tying injury claims more closely to the workplace, causing some business groups and most House Republicans to dismiss the reforms.

Mindful that half a loaf is better than nothing, though, Senate Minority Leader Christine Radogno and Illinois Manufacturers Association President Greg Baise backed the bill. Some Democrats, meanwhile, suggested that House Republican opposition reflected the significant campaign contributions to caucus coffers over the years by the Illinois State Medical Society.

The utility measure, sought by Commonwealth Edison and Ameren, would increase electric rates 2.5 percent annually through 2014 to generate \$3 billion for a 10-year plan to upgrade the electric grid, including installing new technology that would help consumers manage their power usage more closely.

Despite opposition from Attorney General Lisa Madigan, the Citizens Utility Board and other watchdog groups, and a

veto threat from Quinn, the proposal cleared the House with 34 Republican and 33 Democratic votes, then garnered 12 GOP and 19 Democratic votes in the Senate.

In similar fashion, lawmakers from both parties teamed to approve a sweeping measure to authorize five new casinos, including one in Chicago, to permit existing casinos to expand and to allow slot machines at six horseracing tracks, two Chicago airports and the Illinois State Fairgrounds. Forty-four Democrats and 21 Republicans voted for the plan in the House, and six Republicans joined 24 Democrats to provide the 30 votes needed in the Senate.

Both the electric bill and the gambling legislation faced considerable opposition, of course. But whether pro or con on a particular issue, Illinois citizens should be heartened by the bipartisan approach that seems to be in vogue in the Statehouse these days. □

*Charles N. Wheeler III is director of the Public Affairs Reporting program at the University of Illinois Springfield.*



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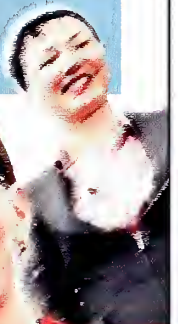
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